

N00213.AR.000106
NAS KEY WEST
5090.3a

NOTICE OF ISSUANCE OF PERMIT HO44-230669 FOR HAZARDOUS WASTE STORAGE
FACILITY WITH ATTACHMENTS NAS KEY WEST FL
6/28/1994
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

(f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and

(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

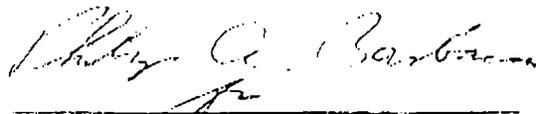
If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this permit. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

This permit is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 17-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time this permit will not be effective until further Order of the Department.

When the Order is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 the Final Order is filed with the Clerk of the Department.

Executed in Fort Myers, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION



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US Naval Air Station-Key West
Boca Chica Key
Key West, Florida 33040

Identification Number FL6 170 022 952
HSWA Portion of Permit Number H044-144053

Pursuant to the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 USC §6901 et seq., commonly known as RCRA) and regulations promulgated thereunder by the U.S. Environmental Protection Agency (EPA) (codified and to be codified in Title 40 of the Code of Federal Regulations), a permit is issued to US Naval Air Station-Key West, Florida (hereafter called the Permittee), who owns or operates a hazardous waste facility located in Boca Chica Key, Florida latitude 24° 35' 49" North and longitude 81° 47' 45" West.

This Permit, in conjunction with the Hazardous Waste Management Permit issued by the State of Florida, constitutes the RCRA permit for this facility. The Permittee shall be required to investigate any releases of hazardous waste or hazardous constituents pursuant to this permit at the facility regardless of the time at which waste was placed or the release occurred and to take appropriate corrective action for any releases. The Permit also requires the Permittee to comply with all land disposal restrictions applicable to this facility and to certify annually that on-site generation of hazardous waste is minimized to the extent practicable."

The Permittee must comply with all terms and conditions of this permit. This permit consists of the conditions contained herein (including those in any attachments) and applicable regulations contained in 40 CFR Parts 260 through 264, 266, 268, 270, and 124 as specified in the permit and statutory requirements of RCRA, as amended by the Hazardous and Solid Waste Amendments of 1984, P.L. 98-616, (the HSWA amendments). Nothing in this permit shall preclude the Regional Administrator from reviewing and modifying the permit at any time during its term in accordance with 40 CFR §270.41 and Appendix E, as contained herein.

This Permit is based on the assumption that the information and reports submitted to date, and subsequent to issuance of this permit by the Permittee are accurate. Any inaccuracies found in this information may be grounds for termination or modification of this permit in accordance with 40 CFR §270.41, §270.42, and §270.43 and potential enforcement action. The Permittee must inform EPA of any deviation from or changes in the information in the application which would affect the Permittee's ability to comply with the applicable regulations or permit conditions.

The authority to perform all actions necessary to issue, modify, revoke, or enforce this permit has been delegated by the Regional Administrator to the Waste Management Division Director.

This Permit is effective as of August 30, 1990, and shall remain in effect until August 30, 2000, unless revoked and reissued, or terminated under 40 CFR §270.41 and .43 or continued in accordance with 40 CFR §270.51(a).

If any conditions of this permit are appealed in accordance with 40 CFR Part 124.19, the effective date of the conditions determined to be stayed in accordance with 40 CFR Part 124.16 shall be determined by final agency action as specified under 40 CFR 124.19.

July 31, 1990
ISSUED DATE

Patrick M. Tobin
Patrick M. Tobin
Director
Waste Management Division

APPENDIX A

I. List of Solid Waste Management Units requiring an RFI:

<u>SWMU No.</u>	<u>Description</u>
1	Site #4 - Open Disposal Area
2	Site #5 - Boca Chica DDT Mixing Area
3	Site #10 - Fire Fighting Training Area
4	AIMD Bldg. A980 Drainage Drum
5	AIMD Corrosion Control - Bead
7	Blasting Area Former Storage Unit

II. List of Solid Waste Management Units with no known releases and requiring no further investigation at this time:

<u>SWMU No.</u>	<u>Description</u>
6	Waste Water Treatment Plant/Sludge Areas

III. List of RCRA Regulated Hazardous Waste Units

<u>SWMU No.</u>	<u>Description</u>
7	Former Storage Unit
8	Permitted - New Storage Unit

CORRECTIVE MEASURE STUDY PLAN OUTLINE

SCOPE

The Corrective Measure Study consists of four tasks:

Task VIII: Identification and Development of the Corrective Measure Alternatives

- A. Description of Current Situation
- B. Establishment of Corrective Action Objectives
- C. Screening of Corrective Measures Technologies
- D. Identification of the Corrective Measure Alternatives

Task IX: Evaluation of the Corrective Measure Alternatives

- A. Technical/Environmental/Human Health/Institutional
- B. Cost Estimate

Task X: Justification and Recommendation of the Corrective Measure or Measures

- A. Technical
- B. Environmental
- C. Human Health

Task XI: Reports

- A. Progress
- B. Draft
- C. Final
- D. Public Review and Final Selection of Corrective Measure

Schedule of Compliance	Due Date
Draft RFI Report Condition II.E.3.	Within ninety (90) calendar days after RFI Condition II.E.1. or Condition II.E.2. completion
Final RFI Report Condition II.E.3.	Within thirty (30) calendar days after receipt of RA comments on Draft RFI Report
Interim Measures Plan Condition II.F.1.	Within thirty (30) calendar days of notification by RA
Interim Measures Progress Reports Condition II.F.8.	Semi-annually, beginning 180 days from implementation of Interim measures*
Interim Measure Report Condition II.F.9	Within ninety (90) calendar days of completion
CMS Plan Condition II.G.1.b.	Within one hundred twenty (120) calendar days of determination by RA that a CMS is needed
CMS Implementation Condition II.G.2.a.	Within fifteen (15) calendar days of receipt of written approval of CMS Plan by the RA
Final CMS Report Condition II.G.4.a.	Within sixty (60) calendar days of completion of CMS Plan
Imminent Hazard Report Condition II.J.1. and II.J.2.	Oral within 24 hours; Written within fifteen (15) calendar days

The above reports must be signed and certified in accordance with 40 CFR 5270.11.

*This applies to Plan execution that requires more than one hundred eighty (180) calendar days

APPENDIX D

Schedule of Compliance

<u>Schedule of Compliance</u>	<u>Due Date</u>
Notification of Newly Identified SWMUs and Releases Condition II.B.1 and Condition II.B.2.	Within fifteen (15) calendar days of discovery
RFA Information Condition II.B.3.	Within ninety (90) calendar days of notification
Notification for Newly Discovered Releases at Previously Identified SWMUs and AOCs Condition II.C.1.	Within fifteen (15) calendar days of discovery
RFI Workplan for SWMU(s) identified in APPENDIX A-1, Condition II.D.1.	Within one hundred twenty (120) calendar days after effective date of permit
RFI Workplan for SWMU(s) and AOC(s) identified under Condition II.B.4., Condition II.C.2., and Condition II.D.2.	Within one hundred twenty (12) calendar days after receipt by RA which SWMUs or AOCs require an RFI
RFI Progress Reports Condition II.E.2.	Quarterly, beginning ninety (90) calendar days from implementation of RFI workplan*

MODIFICATION OF THE CORRECTIVE ACTION SCHEDULE OF COMPLIANCE

- A. If at any time the Regional Administrator determines that modifications of the Corrective Action Schedule of Compliance is necessary, he or she may initiate a modification to the Schedule of Compliance according to this procedure. If the Regional Administrator initiates a modification, he or she shall:
1. Notify the Permittee in writing of the proposed modification and the date by which comments on the proposed modification must be received; and
 2. Publish a notice of the proposed modification in a locally distributed newspaper, mail a notice to all persons on the facility mailing list maintained according to 40 CFR Section 124.10(c)(viii), and place a notice in the facility's information repository (i.e., a central source of all pertinent documents concerning the remedial action, usually maintained at the facility or some other public place, such as a public library, that is accessible to the public) if one is required.
 - a. If the Regional Administrator receives no written comment on the proposed modification, the modification shall become effective _____ [Five (5)] calendar days after the close of the comment period.
 - b. If the Regional Administrator receives written comment on the proposed modification, the Regional Administrator shall make a final determination concerning the modification after the end of the comment period.
 3. Notify the Permittee in writing of the final decision.
 - a. If no written comment was received, the Regional Administrator shall notify individuals on the facility mailing list in writing that the modification has become effective and shall place a copy of the modified Corrective Action Schedule of Compliance in the information repository, if a repository is required for the facility.
 - b. If written comment was received, the Regional Administrator shall provide notice of the final modification decision in a locally distributed newspaper and place a copy of the modified Corrective Action Schedule of Compliance in the information repository, if a repository is required for the facility.

- B. Modifications that are initiated and finalized by the Regional Administrator according to this procedure shall not be subject to administrative appeal.
- C. Modifications to the Corrective Action Schedule of Compliance do not constitute a reissuance of the Permit.