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NAS KEY WEST
5090.3a

LETTER REGARDING REGULATORY INSPECTION AND NOTICE OF DEFIEIENCIES IN
HAZARDOUS WASTE PRACTICES AT NAS KEY WEST
4/6/1984
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

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Coord with DER.*
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SOUTH FLORIDA
DISTRICT
2269 BAY STREET
FORT MYERS, FLORIDA 33901-2896



BOB GRAHAM
GOVERNOR

VICTORIA J. TSCHINKEL
SECRETARY

PHILIP R. EDWARDS
DISTRICT MANAGER

April 6, 1984

CERTIFIED MAIL #P566 417 250
RETURN RECEIPT REQUESTED

My Copy

Captain James Best
Department of the Navy
Naval Air Station
Key West, FL 33040

Re: Monroe County - HW
Key West Naval Air Station

Dear Captain Best:

The March 30, 1984, inspection of your facility disclosed several deficiencies in current hazardous waste management practices. The observed activities, described below, are in violation of Florida law and require immediate corrective action.

Discharges of waste materials to the environment were evident at the VAQ33 hazardous waste collection area. The appearance of soils and surface waters in the vicinity of this site indicates that careless handling and subsequent spillage of materials are commonplace. Furthermore, it is apparent that little or no spill containment/cleanup effort has been exercised to minimize the extent of contamination.

Improper disposal of paint stripping compounds, rinse water and paint materials was noted in conjunction with the "yellow goods" stripping operations at the AIMD 990 Building. The above materials are presently discharged to State waters via a shallow drainage trough and lagoon on the southwest side of the building.

Those laws which the Department believes to be violated are as follows:

Environmental Control - Chapter 403, Florida Statutes

403.161 Prohibitions, violation.

- (1) It shall be a violation of this Chapter, and it shall be prohibited:
 - (a) To cause pollution, except as otherwise provided in this chapter, so as to harm or injure human health or welfare, animal, plant, or aquatic life or property.
 - (b) To fail to obtain any permit required by this chapter or by rule or regulation, or to violate or fail to comply with any rule, regulation, order, permit, or certification adopted or issued by the department pursuant to its lawful authority.

My Copy

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Monroe County
Captain James Best
April 6, 1984

Rules of the Department of Environmental Regulation, Chapter 17-3, Water
Quality Standards

Part III - Water Quality Criteria - Surface Water

17-3.051 Minimum Criteria for Surface Waters.

All surface waters of the State shall at all places and at all times be free from:

- (1) Domestic, industrial, agricultural, or other man-induced non-thermal components of discharges which, alone or in combination with other substances or in combination with other components of discharges (whether thermal or non-thermal):
 - (a) Settle to form putrescent deposits or otherwise create a nuisance;
or
 - (b) Float as debris, scum, oil, or other matter in such amounts as to form nuisances; or
 - (c) Produce color, odor, taste, turbidity, or other conditions in such degree as to create a nuisance; or
 - (d) Are acutely toxic; or
 - (e) Are present in concentrations which are carcinogenic, mutagenic, or teratogenic to human beings or to significant, locally occurring, wildlife or aquatic species; or
 - (f) Pose a serious danger to the public health, safety, or welfare.

Part IV - Water Quality Criteria - Ground Water

17-3.402 Minimum Criteria for Ground Water.

- (1) All ground water shall at all places and at all times be free from domestic, industrial, agricultural, and other man-induced non-thermal components of discharges in concentrations which, alone or in combination with other substances, or components of discharges (whether thermal or non-thermal):
 - (a) Are harmful to plants, animals, or organisms that are native to the soil and responsible for treatment or stabilization of the discharge relied upon by Department permits; or
 - (b) Are carcinogenic, mutagenic, teratogenic, or toxic to human beings, unless specific criteria are established for such components in 17-3.404; or
 - (c) Are acutely toxic to indigenous species of significance to the aquatic community within surface waters affected by the ground water at the point of contact with surface waters; or
 - (d) Pose a serious danger to the public health, safety, or welfare; or
 - (e) Create or constitute a nuisance; or
 - (f) Impair the reasonable and beneficial use of adjacent waters.

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Monroe County
Captain James Best
April 6, 1984

Rules of the Department of Environmental Regulation, Chapter 17-4, Permits

Part I - General

17-4.03 General Prohibition.

Any stationary installation which will reasonably be expected to be a source of pollution shall not be operated, maintained, constructed, expanded, or modified without an appropriate and currently valid permit issued by the Department, unless the source is exempted by Department rule. The Department may issue such permit only after it is assured that the installation will not cause pollution in violation of any of the provisions of Chapter 403, Florida Statutes (FS), or the rules and regulations promulgated thereunder.

Part II - Specific Permits, Requirements

17-4.245 Installations Discharging to Ground Water; Permitting and Monitoring Requirements.

(2) General Prohibitions and Exemptions.

- (a) Unless exempted by subsection (c) below or by Section 17-4.243, Florida Administrative Code (FAC), no installation shall discharge into ground water, either directly or indirectly, any contaminant that causes a violation in the water quality standards and criteria for the receiving ground water as established in Chapter 17-3, Part IV, FAC, except within a zone of discharge established by permit or rule pursuant to this section.

17-4.245(6) Monitoring Requirements.

(b) General Requirements:

Unless otherwise exempted by the Department, any installation discharging into ground water shall establish a monitoring program as provided below. However a monitoring program instituted under some other State, Federal, or local government regulation or permit may be substituted for this program if it is in substantial compliance with this subsection.

- (c) Plan submission and timetable. The following timetables shall apply:
2. Existing installations shall submit to the Department an acceptable monitoring plan on or before the date set in the following timetable:

TYPE OF DISCHARGE	DATE
A. Organic Waste	January 1983
B. Inorganic Waste	April 1983

Rules of the Department of Environmental Regulation, Chapter 17-30, Hazardous Waste

17-30.18 Standards Applicable to Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities. (adopted and incorporated 40 CFR 265 by reference)

*IAS ON SITE
1 AUGUST*

*GWMP to
STATE 1 SEP 83*

40 CFR 26515 General Inspection Requirements

- (a) The owner or operator must inspect his facility for malfunctions and deterioration, operator errors, and discharges which may be causing- or may lead to-(1) release of hazardous waste constituents to the environment or (2) a threat to human health. The owner or operator must conduct these inspections often enough to identify problems in time to correct them before they harm human health or the environment.

40 CFR 265.31 Maintenance and Operation of Facility

Facilities must be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

Upon consideration of the above violations, the Department requests implementation of the following corrective actions:

A. Paint Stripping Operations

- 1) All further discharge of paint stripping compounds, rinse water and paint materials must cease immediately.
- 2) Within ten (10) days of receipt of this letter, collect representative soil and surface water samples from the drainage trough (earthen portion) and pond adjacent to AIMD 990 building. These samples are to be analyzed and compared to background levels with respect to pH, methylene chloride, phenolic compounds, lead, cadmium and chromium.
- 3) Within thirty (30) days of receipt of this letter:
- a) submit a long term remedial action plan which will prevent further discharge of materials from all paint stripping operations; and
 - b) initiate cleanup of the discharge area (the appropriate extent and methods of cleanup will be determined after review of the analytical results obtained above).

B. Hazardous Waste Collection Area VAQ 33

- 1) Within ten (10) days of receipt of this letter:
- a) collect representative soil and ground water samples from the drum storage area; and
 - b) collect water samples from the adjacent canal. Samples are to be analyzed and compared to background concentrations of hydrocarbons, organic solvents, heavy metals, and/or any other contaminants that may have been collected at the site.
- 2) Within thirty (30) days of receipt of this letter, initiate cleanup of the area of contamination. Remedial actions to be incorporated in the site cleanup plan will depend on the results of the above analyses.

Stewart D. Dow
Enforcement

MISS IS
NEED HAZ
CORRECTING AT KEY

IM - will fix for EXEMPTED UNDER HIGH TDS
HOWEVER, if groundwater conditions MUST BE IMPROVED, CAN HAVE
WELLS AS PLACE NOW.

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Monroe County
Captain James Best
April 6, 1984

Please be advised that these violations are of serious concern and require immediate attention. Any questions concerning this Warning Letter should be directed to either myself or Stuart Bradow at the letterhead address or telephone 813/332-2667.

Sincerely,

A handwritten signature in cursive script that reads "Langley Adair".

Langley Adair
Enforcement Officer

LA/jw

cc: Bill Buzick
Stuart Bradow
Maureen Powers