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NTC ORLANDO
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LETTER REGARDING REGULATORY REVIEW AND NO FURTHER ACTION AT BUILDING
7182 NTC ORLANDO FL
2/9/1999
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

February 9, 1999

Mr. Nick Ugolini
Code 184 (PVC)
Southern Division
Naval Facilities Engineering Command
2155 Eagle Drive
P.O. Box 190010
North Charleston, South Carolina 29419-9010

RE: Site Assessment Report and No Further Action Proposal,
Building 7182, McCoy Annex, NTC Orlando
FDEP #488841262

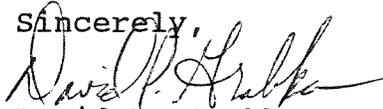
Dear Mr. Ugolini:

I have completed the technical review of the Site Assessment Report (SAR) and No Further Action Proposal (NFAP), dated October 30, 1998 (received November 2, 1998), submitted for Building 7182. Based upon my review, the enclosed Site Rehabilitation Completion Order (Order) was signed by Mr. John M. Ruddell, Director of the Division of Waste Management. The No Further Action Proposal was incorporated by reference in the Site Rehabilitation Completion Order. The Order is attached.

Please note that this Order only applies to petroleum products. As recommended in the SAR, further assessment activities are necessary to find the source and delineate the horizontal and vertical extent of chlorinated solvent contamination detected during site assessment activities.

If I can be of any further assistance with this matter, please contact me at (850) 488-3693.

Sincerely,



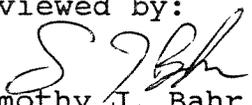
David P. Grabka
Remedial Project Manager

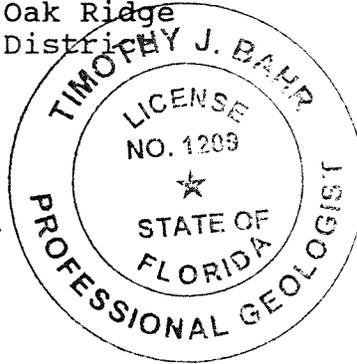
cc: Wayne Hansel, Navy SouthDiv
Rick Allen, Harding Lawson Associates, Jacksonville
Bob Cohose, Bechtel
Nancy Rodriguez, USEPA Region IV
Gary Whipple, NTC Orlando

Mr. Nick Ugolini
February 9, 1999
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Steve McCoy, TetraTech NUS, Oak Ridge
Bill Bostwick, FDEP Central District

Reviewed by:

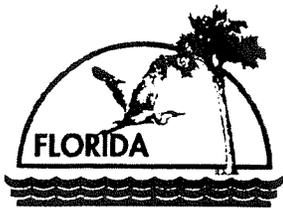

Timothy J. Bahr
Professional Geologist Supervisor
Bureau of Waste Cleanup



2/9/99
Date

JJC 

ESN ESN



Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Nick Ugolini
Code 1843 (UST RPM)
Southern Division
Naval Facilities Engineering Command
2155 Eagle Drive
P.O. Box 190010
N. Charleston, SC 29419-9010

Subject: Site Rehabilitation
Completion Order
Building 7182
Naval Training Center Orlando
Orlando, Orange County
FDEP Facility ID# 488841262

Dear Mr. Ugolini:

The Bureau of Waste Cleanup has reviewed the Site Assessment Report (SAR) and No Further Action Proposal (NFAP) dated October 30, 1998 (received November 2, 1998), submitted for this site. Documentation submitted with the NFAP confirms that criteria set forth in Rule 62-770.680(1), Florida Administrative Code (F.A.C.), have been met for petroleum products chemicals of concern. The NFAP is hereby incorporated by reference in this Site Rehabilitation Completion Order (Order). Therefore, you are released from any further obligation to conduct site rehabilitation for petroleum products chemicals of concern at the site, except as set forth below.

1. In the event concentrations of petroleum products' chemicals of concern increase above the levels approved in this Order, or if a subsequent discharge of petroleum or petroleum product occurs at the site, the Department may require site rehabilitation to reduce concentrations of petroleum products' chemicals of concern to the levels approved in the NFAP or otherwise allowed by Chapter 62-770, F.A.C.

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

Printed on recycled paper.

Nick Ugolini
Building 7182
NTC Orlando
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2. Additionally, you are required to properly abandon all monitoring wells that will no longer be used in the investigation of non-petroleum constituents within 60 days of receipt of this Order. The monitoring wells must be abandoned in accordance with the requirements of Rule 62-532.500(4), F.A.C.

Legal Issues

The Department's Order shall become final unless a timely petition for an administrative proceeding (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 a hearing are set forth below.

Persons affected by this Order have the following options:

If you choose to accept the above decision by the Department about the No Further Action Proposal 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.

If you disagree with the decision, you may do one of the following:

1. File a petition for administrative hearing with the Department's Office of General Counsel within 21 days of receipt of this Order;

OR

2. File a request for an extension of time to file a petition for hearing with the Department's 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 hearing.

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

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

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NTC Orlando
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For good cause shown, pursuant to Rule 62-110.106(4), F.A.C., the Department may grant a request for an extension of time to file a petition for hearing. Such a request must be filed (received) in the Department's 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 the U.S. Navy Southern Division Naval Facilities Engineering Command, shall mail a copy of the request to the U.S. Navy Southern Division Naval Facilities Engineering Command at the time of filing. Timely filing a request for an extension of time tolls the time period within which a petition for administrative hearing must be made.

How to File a Petition for 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) in the Department's 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 the U.S. Navy Southern Division Naval Facilities Engineering Command, shall mail a copy of the petition to the U.S. Navy Southern Division Naval Facilities Engineering Command 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 Chapter 98-200, Laws of Florida, and Rule 28-106.201, F.A.C., a petition for 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 site 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 how and when each petitioner received notice of the Department's action or proposed action;

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NTC Orlando
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- 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 material facts disputed by the petitioner, 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 as of the date on the top of the first page of this Order. Timely filing a petition for 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 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 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 after this Order is filed with the clerk of the Department (see below).

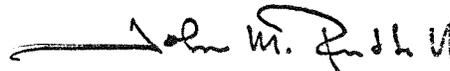
The FDEP Facility Number for this site is 488841262. Please use this identification on all future correspondence with the Department.

Questions

Nick Ugolini
Building 7182
NTC Orlando
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Any questions regarding the Department's review of your No Further Action Proposal should be directed to David P. Grabka at (850) 488-3693. Questions regarding legal issues should be referred to the Department's Office of General Counsel at (850) 488-9314. 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.

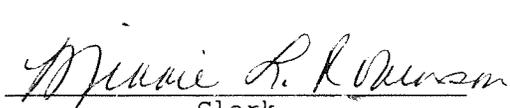
Sincerely,



John M. Ruddell, Director
Division of Waste Management

JMR/dpg

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to
§120.52 Florida Statutes, with the
designated Department Clerk, receipt
of which is hereby acknowledged.

 2/11/99
Clerk Date
(or Deputy Clerk)

c: Bill Bostwick, FDEP Central District Office
Rick Allen, Harding Lawson Associates, 1080 Woodcock Road,
Suite 100, Orlando, FL 32803
Wayne Hansel, U.S. Navy, Southern Division
Lt. Gary Whipple, Naval Training Center Orlando
Nancy Rodriguez, USEPA, Region 4
Steve McCoy, TetraTech NUS, Oak Ridge, TN
Bob Cohose, Bechtel, Knoxville, TN
File