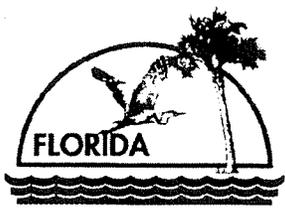


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LETTER REGARDING REGULATORY REVIEW AND SIGNED SITE REHABILITATION
COMPLETION ORDER FOR BUILDING 7171 NTC ORLANDO FL
9/21/1999
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

File



Department of Environmental Protection

Jeb Bush
Governor

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

David B. Struhs
Secretary

September 21, 1999

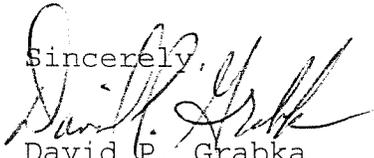
Mr. Nick Ugolini
Code 1843 (UST RPM)
Southern Division
Naval Facilities Engineering Command
P.O. Box 190010
North Charleston, South Carolina 29419-9010

RE: Site Assessment Report, Building 7171 O/W Separator
Naval Training Center Orlando
Orlando, Florida

Dear Mr. Ugolini:

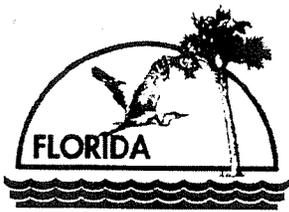
I have completed the review of the Site Assessment Report (SAR) and No Further Action Proposal (NFAP) for Building 7171, NEX Annex Motor Pool Oil/Water Separator, McCoy Annex, Naval Training Center, Orlando, dated July 30, 1999 (received August 2, 1999), prepared and submitted by Harding Lawson Associates. Based upon my review, the enclosed Site Rehabilitation Completion Order was signed by Mr. Doug Jones, Chief of the Bureau of Waste Cleanup. The No Further Action Proposal was incorporated by reference in the Site Rehabilitation Completion Order.

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: Bill Bostwick, FDEP Central District Office
Rick Allen, Harding Lawson Associates, Jacksonville
Wayne Hansel, U.S. Navy, Southern Division
Nancy Rodriguez, USEPA, Region 4
Steve McCoy, Tetra Tech NUS, Oak Ridge, TN
Alan Aiken, CH2M Hill, Orlando

TJB  JJC  ESN 



Department of Environmental Protection

Jeb Bush
Governor

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

David B. Struhs
Secretary

September 21, 1999

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Nick Ugolini, Code 1873 (UST RPM)
Southern Division Naval Facilities Engineering Command
Post Office Box 190010
North Charleston, South Carolina 29419-9010

Subject: Site Rehabilitation Completion Order
Building 7171, NEX Annex Motor Pool Oil/Water Separator
McCoy Annex, Naval Training Center Orlando
Orlando, Orange County, Florida

Dear Mr. Ugolini:

The Bureau of Waste Cleanup has reviewed the Site Assessment Report (SAR), Source Removal Report (SRR) and No Further Action Proposal (NFAP) dated July 30, 1999 (received August 2, 1999), 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. 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 at the site for petroleum product contamination, except as set forth below.

1. In the event concentrations of petroleum products' contaminants 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' contaminants of concern to the levels approved in the NFAP or otherwise allowed by Chapter 62-770, F.A.C.
2. Additionally, you are required to properly abandon all monitoring wells 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.

Mr. Nick Ugolini
Page Two
September 21, 1999

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

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 Southern Division Naval Facilities Engineering Command, shall mail a copy of the request to 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 Southern Division Naval

Facilities Engineering Command, shall mail a copy of the petition to 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 Section 120.54(5)(b)4.a., F.S. (1998, Supp.), 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;
- 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).

Mr. Nick Ugolini
Page Four
September 21, 1999

Questions

Any questions regarding the Department's review of your No Further Action Proposal should be directed to Mr. 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,



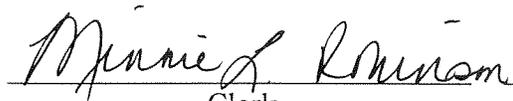
Douglas A. Jones, Chief
Bureau of Waste Cleanup
Division of Waste Management

DAJ/dpg

cc: Bill Bostwick, FDEP Central District Office
Rick Allen, Harding Lawson Associates, P.O. Box 30399, Jacksonville, FL 32212
Steve McCoy, Tetra Tech NUS, 800 Oak Ridge Turnpike, A-600, Oak Ridge, TN 37830
Nancy Rodriguez, EPA Region 4 RPM, U.S. Environmental Protection Agency, Atlanta
Federal Center, 61 Forsyth Street, Atlanta, GA 30303
Alan Aikens, CH2M Hill, 225 East Robinson Street, Suite 505, Orlando, FL 32801
Wayne Hansel, BEC, Southern Division Naval Facilities Engineering Command
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.

 9/21/99
Clerk Date

(or Deputy Clerk)

Mr. Nick Ugolini
Building 7171 Oil Water Separator
McCoy Annex, NTC Orlando

P.G. CERTIFICATION

SAR/SRR/NFAP for Building 7171 Oil/Water Separator

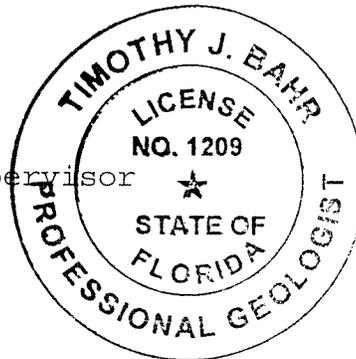
I hereby certify that in my professional judgement, the components of this Site Assessment Report, Source Removal Report and No Further Action Proposal for Building 7171 Oil/Water Separator, McCoy Annex, Naval Training Center, Orlando, Florida, satisfy the requirements set forth in Chapter 62-770, F.A.C., and that the geological interpretations in this report provide reasonable assurances of achieving the Assessment objectives stated in Chapter 62-770, F.A.C.

 I personally completed this review.

 X This review was conducted by David P. Grabka working under my supervision.



Timothy J. Bahr, P.G.
Professional Geologist Supervisor
Technical Review Section



 9/20/99
Date