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LETTER REGARDING REGULATORY REVIEW AND NO FURTHER ACTION FOR SITE
ASSESSMENT REPORT FOR BUILDING 7151 NTC ORLANDO FL
3/15/2001
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Department of Environmental Protection

CTO #CCZA

09.01

Jeb Bush
Governor

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

David B. Struhs
Secretary

March 15, 2001

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 7151, Naval Training
Center, Orlando, Florida

Dear Mr. Ugolini:

I have completed the review of the Site Assessment Report (SAR) and Monitoring Only Proposal (MOP) for Building 7151, Naval Training Center, Orlando, dated November 2000 (received November 30, 2000), prepared and submitted by Tetra Tech NUS, Inc. The SAR provides adequate evidence that natural attenuation at this site will reduce contaminant concentrations to below groundwater cleanup target levels in five years. I have attached a Monitoring Only Plan Approval Order signed by Douglas A. Jones specifying the actions to be taken in monitoring the site.

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

Sincerely,

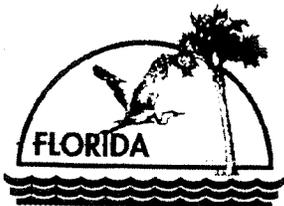
David P. Grabka
Remedial Project Manager

cc: Wayne Hansel, Southern Division
Nancy Rodriguez, USEPA Region 4
Rick Allen, Harding Lawson Associates
Steve McCoy, TetraTech NUS
Steve Tsangaris, CH2M Hill
Bill Bostwick, FDEP Central District

TJB

JJC

ESN



Department of Environmental Protection

Jeb Bush
Governor

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

David B. Struhs
Secretary

March 15, 2001

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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

Subject: Monitoring Only Plan Approval Order
Orlando Naval Training Center
Building 7151, McCoy Annex
Orlando, Orange County

Dear Mr. Ugolini:

The Bureau of Waste Cleanup has completed the review of the Site Assessment Report and Natural Attenuation Monitoring Plan dated November 2000 (received November 30, 2000), submitted for the petroleum product discharge discovered at this site. Pursuant to Rule 62-770.690, Florida Administrative Code (F.A.C.), the Department of Environmental Protection (Department) approves the Natural Attenuation Monitoring Plan. Pursuant to Rule 62-770.690(7), F.A.C., you are required to complete the monitoring program outlined below. The first sampling event should be performed within 60 days of receipt of this Natural Attenuation Monitoring Plan Approval Order (Order). Water-level measurements should be made immediately prior to each sampling event. The analytical results (laboratory report), chain of custody, cumulative summary table of the analytical results, site map(s) illustrating the most recent analytical results, and the water-level elevation information (cumulative summary table and most recent flow interpretation map), should be submitted to the Department within 60 days of sample collection.

The monitoring wells to be sampled, the sampling parameters, and the sampling frequency for the first year are as follows:

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

<u>Monitoring Wells</u>	<u>Contaminants of Concern</u>	<u>Frequency</u>	<u>Duration</u>
OLD-7151-MW01, OLD-7151-MW02, OLD-7151-MW04 and OLD-7151-MW06	BTEX, MTBE, PAHs	Quarterly	5 years
OLD-7151-MW07D	BTEX, MTBE, PAHs	Semi-annual	1 year

The approved Remedial Action by Natural Attenuation monitoring period is 5 years. The sampling frequency will be evaluated following the submittal of the first annual report to determine whether semiannual or annual sampling may be appropriate. If there are enough data at a later time to estimate the monitoring period necessary to meet the applicable No Further Action criteria set forth in Rule 62-770.680, F.A.C., then that time period should be established and annual "milestone" objectives calculated.

The following are the "milestone" objectives that will be used for annual evaluation of remediation progress by natural attenuation. An explanation of the progress relative to these milestone objectives, and the need for corrective action (if applicable), should be provided in the annual evaluation:

<u>1-Methyl Naphthalene</u>	OLD-7151-MW01	OLD-7151-MW02
End of year 1	40µg/l	40 µg/l
End of year 2	30 µg/l	30 µg/l
End of year 5	20 µg/l	20 µg/l
<u>2-Methyl Naphthalene</u>	OLD-7151-MW01	OLD-7151-MW02
End of year 1	40µg/l	40 µg/l
End of year 2	30 µg/l	30 µg/l
End of year 5	20 µg/l	20 µg/l

If concentrations of contaminants of concern in any of the designated wells increase above the action levels listed below, the well or wells must be resampled no later than 30 days after the initial positive results are known. If the results of the resampling confirm the initial sampling results, then a proposal must be submitted to the Department, as described in Rule 62-770.690(7)(f), F.A.C.

Contaminated wells:

OLD-7151-MW01 and OLD-7151-MW02: 200 µg/l 1-Methylnaphthalene; 200 µg/l 2-Methylnaphthalene.

Perimeter wells (temporary points of compliance):

OLD-7151-MW04, OLD-7151-MW06 and OLD-7151-MW07D: 20 µg/l 1-Methylnaphthalene and 20 µg/l 2-Methylnaphthalene.

If the applicable No Further Action criteria in Rule 62-770.680, F.A.C., are met at the end of the monitoring period, a Site Rehabilitation Completion Report, summarizing the monitoring program and containing documentation supporting the opinion that the cleanup objectives have been achieved, should be submitted as required in Rule 62-770.690(8), F.A.C. If the applicable No Further Action criteria in Rule 62-770.680, F.A.C., are not met following five years of monitoring, then a report summarizing the monitoring program should be submitted, including a proposal as described in Rule 62-770.690(7)(g), 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 Site Assessment Report 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, 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 Commanding Officer, Southern Division Naval Facilities Engineering Command, shall mail a copy of the request to Commanding Officer, 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 Commanding Officer, Southern Division Naval Facilities Engineering Command, shall mail a copy of the petition to Commanding Officer, 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

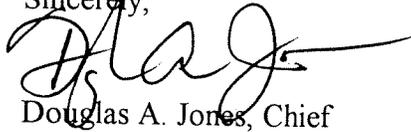
Mr. Nick Ugolini
March 15, 2001
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Any party to this Order has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department 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).

Questions

Any questions regarding the Department's review of your Site Assessment Report 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,



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

DAJ/dpg

cc: Bill Bostwick, FDEP Central District Office
Wayne Hansel, Southern Division
Nancy Rodriguez, USEPA Region 4
Rick Allen, Harding Lawson Associates
Steve McCoy, Tetra Tech NUS
Steve Tsangaris, CH2M Hill
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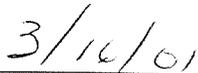
FILING AND ACKNOWLEDGMENT

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



Clerk

(or Deputy Clerk)



Date

Mr. Nick Ugolini
Building 7151
McCoy Annex, NTC Orlando

P.G. CERTIFICATION

SAR/MOP for Building 7151

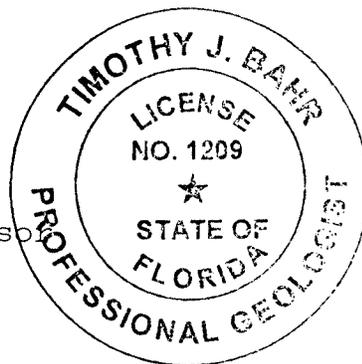
I hereby certify that in my professional judgement, the components of this Site Assessment Report and Monitoring Only Plan for Building 7151, McCoy Annex, Naval Training Center, Orlando, Florida, satisfy the requirements set forth in Chapter 62-770, F.A.C., and that the geological interpretations in this report provide reasonable assurances of achieving the Assessment objectives stated in Chapter 62-770, F.A.C.

I personally completed this review.

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



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



3/15/01
Date