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LETTER AND CONCURRENCE FROM VIRGINIA DEPARTMENT OF ENVIRONMENTAL  
QUALITY REGARDING REVOCATION OF SOLID WASTE MANAGEMENT PERMITS  
SWP286 CD LANDFILL SITE 6 NB NORFOLK VA  
5/6/2013  
VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

5636 Southern Boulevard, Virginia Beach, Virginia 23462

(757) 518-2000 Fax (757) 518-2009

[www.deq.virginia.gov](http://www.deq.virginia.gov)

Doug Domenech  
Secretary of Natural Resources

David K. Paylor  
Director

Maria R. Nold  
Regional Director

May 6, 2013

Ms. Mary Margaret Kutz  
Head, Restoration Branch  
Department of the Navy  
Naval Facilities Engineering Command, Mid-Atlantic  
9742 Maryland Avenue  
Norfolk, Virginia 23511-3095

Re: **Revocation of Solid Waste Permit SWP286, CD Landfill Site 6, Naval Station Norfolk, VA**

Dear Ms. Kutz:

The Department of Environmental Quality (DEQ) has received your November 15, 2012 request for revocation of Solid Waste Permit (SWP) 286 for the CD Landfill Site 6 at Naval Station Norfolk. In addition, a "Request for Voluntary Revocation of Permit" form was received from the Department of the Navy, Naval Facilities Command, Mid-Atlantic on April 22, 2013.

In reviewing your request, this office consulted with the DEQ Office of Restoration Programs. The Office of Restoration Programs concurs with the revocation of SWP286.

Review of the agency record and information provided indicates the 1998 CERCLA Record of Decision (ROD) for this site includes the requirements of the Virginia Solid Waste Management Regulations (VSWMR) as applicable or relevant and appropriate requirements (ARARs). The ROD establishes, among other things, that the CD landfill was to be closed and post closure care monitoring be conducted in accordance with the substantive requirements of the VSWMR for a minimum of 10 years. The DEQ verified and accepted completion of closure of the facility on February 12, 2001.

Currently long term site management, monitoring, reporting, and enforcement of institutional land use controls are conducted and will continue to be conducted by the Navy's Environmental Restoration Program following the CERCLA process.

Based on the above and in accordance with 9VAC20-81-570 of the VSWMR, SWP286 authorizing operation of a CD landfill is revoked. It is the responsibility of the owner to continue managing the site in accordance with the CERCLA ROD under the DEQ and/or the Environmental Protection Agency's oversight.

As provided by rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date of service of this decision to initiate an appeal of this decision, by filing notice with:

David K. Paylor, Director  
Virginia Department of Environmental Quality  
Attn: Land Protection and Revitalization Division  
P.O Box 1105  
Richmond, Virginia 23218

In the event that this decision is served to you by mail, three days are added to that period. Please refer to Part Two of the rules of the Supreme Court of Virginia, which describe the required content of the Notice of Appeal, including specification of the Circuit Court to which an appeal is taken and additional requirements governing appeals from decisions of administrative agencies.

Rule 2A:2 can be found at the following link:

<http://leg1.state.va.us/cgi-bin/legp504.exe?000+scr+vscr-2AZ2>

Should you have any questions or desire further information regarding this decision please contact Milton Johnston, Land Protection Manager at (757) 518-2151 or [Milton.johnston@deq.virginia.gov](mailto:Milton.johnston@deq.virginia.gov).

Sincerely,



Maria R. Nold

c: Eric Salopek, DEQ, ORP  
Kathryn Perszyk, DEQ, CO  
Milt Johnston, DEQ, TRO  
Don Brunson, DEQ, TRO  
Jeff Deibler, DEQ, TRO  
File