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NAS CECIL FIELD, FL
5090.3a

POST ACTIVE REMEDIATION MONITORING PLAN APPROVAL ORDER FOR 103RD
STREET AND A AVENUE JET FUEL TRANSFER PIPELINE NAS CECIL FIELD FL
4/23/2003
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Department of Environmental Protection

Jeb Bush
Governor

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

David B. Struhs
Secretary

April 23, 2003

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Commanding Office
Attn: Mr. Wayne Hansel, Code ES245
Southern Division
Naval Facilities Engineering Command
Post Office Box 190010
North Charleston, South Carolina 29419-9010

Subject: Post Active Remediation Monitoring Plan Approval Order
103rd Street and "A" Avenue Jet Fuel Transfer Pipeline
Naval Air Station Cecil Field
Jacksonville, Duval County

Dear Mr. Hansel:

The Bureau of Waste Cleanup has completed the review of the Fourth Quarter 2002 Operations and Maintenance Status Report, Revision 01, Air Sparging and Soil Vapor Extraction System, and Post Active Remediation Monitoring Plan dated March 2003 (received April 9, 2003), submitted for the petroleum product discharge discovered at this site. Pursuant to Rule 62-770.750, Florida Administrative Code (F.A.C.), the Florida Department of Environmental Protection (Department) approves the Post Active Remediation Monitoring Plan. Pursuant to Rule 62-770.750(4), 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 Post Active Remediation 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), must be submitted to the Department within 60 days of sample collection.

"More Protection, Less Process"

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

<u>Monitoring Wells</u>	<u>Contaminants of Concern</u>	<u>Frequency</u>	<u>Duration</u>
CEF-103-SMW-03, CEF-103-SMW-04, CEF-103-SMW-05, CEF-103-SMW-06, CEF-103-SMW-07, CEF-103-SMW-08, CEF-103-SMW-09, CEF-103-SMW-11	VOAs, PAHs, TRPH and lead	Quarterly	One year

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 as described in Rule 62-770.750(4)(e), F.A.C., must be submitted to the Department.

Contaminated wells:

CEF-103-SMW-03, CEF-103-SMW-04, CEF-103-SMW-05, CEF-103-SMW-11: 10 µg/L Benzene; 300 µg/L Ethylbenzene; 200 µg/L Xylenes (total); 100 µg/L 1,2,4-Trimethylbenzene; 100 µg/L 1,3,5-Trimethylbenzene; 200 µg/L Naphthalene; 50 mg/L TRPH; and 150 µg/L lead.

Perimeter wells (temporary points of compliance):

CEF-103-SMW-06, CEF-103-SMW-07, CEF-103-SMW-08, CEF-103-SMW-09: 1 µg/L Benzene; 30 µg/L Ethylbenzene; 20 µg/L Xylenes (total); 10 µg/L 1,2,4-Trimethylbenzene; 10 µg/L 1,3,5-Trimethylbenzene 20 µg/L Naphthalene; 5 mg/L TRPH; and 15 µg/L lead.

If the applicable No Further Action criteria in Rule 62-770.680, F.A.C., are met at the end of the monitoring period (for at least the last two sampling events), a Site Rehabilitation Completion Report, summarizing the monitoring program and containing documentation supporting the opinion that the cleanup objectives have been achieved, must be submitted as required in Rule 62-770.750(6), F.A.C. If the applicable No Further Action criteria in Rule 62-770.680, F.A.C., are not met following one year of monitoring, then a report summarizing the monitoring program must be submitted, including a proposal as described in Rule 62-770.750(4)(e), 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 Operations and Maintenance Status 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 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., 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. Wayne Hansel
April 23, 2003
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Questions

Any questions regarding the Department's review of your Operations and Maintenance Status Report should be directed to David P. Grabka at (850) 245-8997. Questions regarding legal issues should be referred to the Department's Office of General Counsel at (850) 245-2242. 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: 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.

Minnie R. Johnson April 23, 2003

Clerk
(or Deputy Clerk)

Date