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NAS CECIL FIELD
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LETTER FROM FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION APPROVING REMEDIAL ACTION PLAN ADDENDUM FOR SOUTH FUEL FARM NAS CECIL FIELD FL
8/2/2004
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Department of Environmental Protection

Jeb Bush
Governor

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

Colleen M. Castille
Secretary

August 2, 2004

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Gabe Magwood
Code ES24 (UST RPM)
Southern Division
Naval Facilities Engineering Command
Post Office Box 190010
North Charleston, South Carolina 29419-9010

Subject: Remedial Action Plan Addendum Approval Order
South Fuel Farm
Naval Air Station Cecil Field
Jacksonville, Duval County

Dear Mr. Magwood:

The Bureau of Waste Cleanup has reviewed the Remedial Action Plan (RAP) Addendum dated July 1, 2004 (received July 2, 2004), prepared and submitted by Tetra Tech NUS, Inc. for the petroleum product discharges discovered at this site. We found the documents submitted to date to be adequate to meet the RAP requirements of Rule 62-770.700, Florida Administrative Code (F.A.C.). The Florida Department of Environmental Protection (Department) has determined that the actions proposed in this RAP Addendum, represent a reasonable strategy toward accomplishing the cleanup objectives of Chapter 62-770, F.A.C. Pursuant to Rule 62-770.700(8), F.A.C., the Department approves the RAP Addendum as described in this RAP Approval Order (Order). The operation of the active remediation system must be initiated within 120 days, as required by Rule 62-770.700(10), F.A.C. (or alternative time frame approved in SMP).

You are also required to submit to the Department record drawings (as-built drawings) of the treatment system within 120 days (or alternative time frame approved in SMP) of initiating operation of the active remediation system(s). These drawings must be certified by a professional engineer.

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:

(A) If you choose to accept the Department's decision regarding the RAP Addendum 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.

(B) If you choose to challenge the decision, you may do the following:

(1) File a request for an extension of time to file a petition for hearing with the Agency Clerk in the Office of General Counsel of the Department 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; or

(2) File a petition for administrative hearing with the Agency Clerk in the Office of General Counsel of the Department within 21 days of receipt of this Order.

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 Administrative 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) by the Agency Clerk in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this Order. Petitioner, if different from addressee, shall mail a copy of the request to addressee 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 proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) by the Agency Clerk in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station

35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this Order. Petitioner, if different from addressee, shall mail a copy of the petition to addressee 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 Subsections 120.54(5)(b)4. and 120.569(2), 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 when and how 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, including an explanation of how the alleged facts relate to the specific rules or statutes; 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 to the Department 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 Agency Clerk in the Office of General Counsel of the Department at 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 RAP Addendum 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: David P. Grabka, FDEP – BWC
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.

Clerk
(or Deputy Clerk)

August 2, 2004
Date

Memorandum

Florida Department of
Environmental Protection

July 23, 2004

CERTIFICATION OF APPROVAL

RE: Remedial Action Plan Addendum for South Fuel Farm, Naval Air Station Cecil Field, Jacksonville, Florida

I have reviewed the subject submittal dated July 2004 (received July 2, 2004). The document is adequate for its stated intent. Mr. Steven Brashers, Florida Professional Engineer No. 47151, is the engineer of record.

For soil remediation, the RAP Addendum proposes the modification of the existing bioventing system with 15 new air injection wells spaced to account for a reduced radius of influence (ROI) over that which was originally determined in the original system design (1996). Three existing injection wells will also be employed in the modified system. Prior to such system expansion, minor modifications to the existing system will be made in an attempt to increase the ROI. These modifications include throttling the blower discharge to reduce air flow and venting a portion of the blower discharge to reduce system pressure drop and insure sufficient pressure heads at the injection wells.

For groundwater remediation, three biosparge wells from the existing system will be operated to remediate the remaining contamination in the source area.

I have not evaluated and do not certify aspects of this plan that are outside the limits of my review responsibilities and outside of my area of expertise, including but not limited to electrical, mechanical, and structural features.

Jeffrey D. Lockwood, P.E.
Professional Engineer No. 39554
Expires February 28, 2005

7-23-04
Date