



DEPARTMENT OF THE NAVY

SOUTHERN DIVISION

NAVAL FACILITIES ENGINEERING COMMAND

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THE SIGNER OF THIS LETTER,
REFER TO:

Code 1142

0 2 FEB 1984

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Jerry Owen
Florida Department of Environmental Regulation
Northeast District
3426 Bills Road
Jacksonville, FL 32207

Subj: Duval County-IW, Naval Air Station, Jacksonville Hazardous Waste
Disposal Site Cleanup

Dear Mr. Owen:

Under the Comprehensive Environmental Response Compensation Liability Act (commonly referred to as Superfund) abandoned hazardous waste sites at federal activities are not included in EPA's nationwide program. The regulations delegated the responsibility to the Department of Defense for investigation and cleanup; hence, these sites are not included in the Superfund Program.

The Navy commenced action to clean up the subject site approximately two years back. It was recognized that cleanup of this site was exempt from Superfund Program and state control. However, to insure that our cleanup action met with the approval of EPA and FDER, both were requested and did participate in the design of the cleanup project.

An NPDES permit application was filed with EPA in May 1982 to cover the discharge from the subject site. EPA issued an NPDES permit on 25 August 1983 which was certified by the State of Florida as meeting requirements of FDER regulations.

As Florida does not administer the NPDES program for EPA for federal facilities, a separate permit application was filed with FDER on 22 July 1983. As the design of the site cleanup project was coordinated with FDER and as FDER certified the water quality limits in the EPA NPDES permit, your January 16, 1984 letter proposing more severe discharge limits on subject site does not appear prudent. Severity on some parameters is as high as a thousand times more restrictive. The parameters of concern with the established NPDES discharge limits and proposed Florida limits are listed below:

<u>PARAMETER</u>	<u>EPA</u>	<u>FLORIDA</u>
Oil and Grease	15 mg/l	5 mg/l
PCB	0.065 ug/l	0.001 ug/l
Cadmium	0.8 mg/l	0.8 ug/l
Mercury	0.2 mg/l	0.2 ug/l

Code 1142

The NPDES effluent limitations take into consideration the unique characteristics of this hazardous waste treatment system and the receiving waters into which the effluent from the ditch system is discharged. The system was not designed for and cannot meet the proposed Florida limits.

Based on the coordination efforts delineated above and the fact that the treatment system will help to eliminate the discharge of pollutants from an uncontrolled site into state waters, you are respectfully requested to reconsider our original request and issue a permit based on the limits FDER certified to EPA.

In the event that the above request is unacceptable, then this letter should be construed as a petition for an administrative hearing on the matter and that relief be provided through exemption pursuant to Section 17-4.243 or variance pursuant to Section 17-1.57. As a matter of record, your January 16, 1984 letter was received by the Navy on 18 January 1984.

Your assistance and cooperation in resolving this complex problem will be greatly appreciated.

Very truly yours,

D. S. BOTT, JR.
CAPT, USN, USN
Commanding Officer

Copy to:
FDER Office of General Counsel, Tallahassee
EPA Region IV (Mr. Art Linton)
→ NAS Jacksonville (Mr. Roche)