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LETTER REGARDING REGULATORY APPROVAL FOR NO FURTHER ACTION AT
BUILDING 80 TRANSPORTATION MOTOR POOL NAS JACKSONVILLE FL
2/5/1993
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Florida Department of Environmental Regulation

Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-2400

Lawton Chiles, Governor

Virginia B. Wetherell, Secretary

February 5, 1993

Mr. Carl Loop
Code 18237
Department of the Navy
Southern Division
Naval Facilities Engineering Command
2155 Eagle Drive
Post Office Box 10068
Charleston, South Carolina 26411

RE: Transportation Motor Pool, Building 80
Naval Air Station Cecil Field, Jacksonville, Florida

Dear Mr. Loop:

The Bureau of Waste Cleanup has reviewed the Contamination Assessment Report (CAR) Addendum and No Further Action Proposal (NFAP) dated January, 1993 (received January 28, 1993), submitted for this site. Documentation submitted with the NFAP confirms that criteria set forth in Rule 17-770.630(3), Florida Administrative Code (F.A.C.), have been met. The NFAP is hereby incorporated by reference in this Order. Therefore, you are released from any further obligation to conduct site rehabilitation at the site, except as set forth below.

If a subsequent discharge of petroleum or petroleum product occurs at the site, the Department may require site rehabilitation in order to reduce contaminant concentrations to the levels approved through review of the NFAP or otherwise allowed by Chapter 17-770, F.A.C.

Additionally, you are required to properly abandon all monitoring wells except compliance wells required by Chapter 17-761, F.A.C., for release detection. The wells must be abandoned in accordance with the requirements of Rule 17-532.500(4), F.A.C.

Persons whose substantial interests are affected by this Site Rehabilitation Completion Order have the right to challenge the Department's decision. Such a challenge may include filing a petition for an administrative determination (hearing) as described in the following paragraphs. However, pursuant to

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Chapter 17-103, F.A.C., you may request an extension of time to file the Petition. All requests for extensions of time or petitions for administrative determinations must be filed directly with the Department's Office of General Counsel at the address given below within twenty-one (21) days of receipt of this notice (do not send them to the Bureau of Waste Cleanup).

Notwithstanding the above, a person whose substantial interests are affected by this Site Rehabilitation Completion Order may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within twenty-one (21) days of receipt of this notice. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

The Petition shall contain the following information:

- (a) The name, address, and telephone number of each petitioner, the Department file number (DER 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) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
- (d) A statement of the material facts disputed by each petitioner, if any;
- (e) A statement of facts which each petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes each petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by each petitioner, stating precisely the action each petitioner wants the Department to take with respect to the Department's action or proposed action.

This Site Rehabilitation Completion Order is final and effective on the date of receipt of this Order unless a petition (or time extension) is filed in accordance with the preceding paragraphs. Upon the timely filing of a petition, this Order will not be effective until further order of the Department.

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When the Order is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, F.S., by filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 thirty (30) days from the date the Final Order is filed with the Clerk of the Department.

Any questions you may have on the technical aspects of this Site Rehabilitation Completion Order should be directed to Michael J. Deliz at (904) 488-0190. Contact with the above named person does not constitute a petition for administrative determination.

Sincerely,



John M. Ruddell, Director
Division of Waste Management

JMR/mjd

cc: Mr. Larry Krestalude, Northeast District Office
Mr. James Hudson, USEPA