

N00213.AR.001328
NAS KEY WEST
5090.3a

LETTER AND CONCURRENCE FROM FLORIDA DEPARTMENT OF ENVIRONMENTAL
PROTECTION REGARDING POST STORM SURGE EVALUATION REPORT FOR SOILD
WASTE MANAGEMENT UNIT 4 (SWMU4) WITH ATTACHMENT NAS KEY WEST FL

7/23/2008

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

July 23, 2008

Mr. Dana Hayworth, P.G.
NAVFAC SOUTHEAST
Naval Air Station Jacksonville
Building 135
P.O. Box 30
Jacksonville, FL 32212

RE: Post Storm Surge Evaluation Report for Solid Waste Management Unit 4, Naval Air Station Key West, Key West, Florida

Dear Mr. Hayworth:

I have completed the technical review of the above referenced document dated December 21, 2007 (received June 12, 2008). The Report and No Further Action Proposal for the subject site, are adequate to meet the requirements of Chapters 62-780 and 62-730, Florida Administrative Code (F.A.C.). Attached is the Site Rehabilitation Completion Order signed by Douglas A. Jones, Chief, Bureau of Waste Cleanup. If I can be of any further assistance with this matter, please contact me at (850) 245-8998.

Sincerely,

Tracie L. Bolanos
Remedial Project Manager

JJC JJC ESN ESN
by
ESN



Florida Department of Environmental Protection

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2600 Blairstone Road
Tallahassee, Florida 32399-2400

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July 23, 2008

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Dana Hayworth
Naval Facilities Southeast
Naval Air Station Jacksonville
Building 135
Post Office Box 30
Jacksonville, Florida 32212

Subject: Site Rehabilitation Completion Order (SRCO)
Solid Waste Management Unit 4
Building A-980
Naval Air Station Key West
Key West, Florida
Monroe County
Permit No. 63182-HO-003

Dear Mr. Hayworth:

The Federal Programs Section has reviewed the Post Storm Surge Evaluation Report for Solid Waste Management Units (SWMUs) 1, 2, 4, and 5, dated, December 2007, that was prepared by Tetra Tech NUS, Inc., for the Environmental Restoration Program (ERP) for Naval Air Station Key West (NAS Key West). Maps showing the location of SWMU 4 (Building A-980) for which this Order is being issued are enclosed as Exhibits 1 and 2.

SWMU 4 was used as an electronics maintenance support for aircraft. The contamination resulted from activities on the south side of Building A-980 when this site had two in-ground 55-gallon plastic drums that were used to receive and store solvents and oil mixtures. In 1989, both drums were removed and stained soil surrounding and under each drum was excavated and disposed of off-site. The remaining soil required Land Use Controls (LUCs) to protect any future residents. In 2005, Hurricane Wilma took place in Key West, Florida. Post storm samples were collected at this site and it was determined that the site would qualify for No Further Action (NFA). Corrective actions at this site are being conducted in accordance with permit number 63182-HO-003 (hereinafter "the Permit") that was executed by the Department on March 5, 2008, to address, among other things, the contamination at SWMU 4.

Based on the documentation submitted with the NFA Proposal, the Department has reasonable assurance that SWMU 4 has met the criteria in Chapters 62-730 and 62-780, Florida Administrative Code (F.A.C.), and has met the terms of the Permit. The submittals indicate that soil and groundwater concentrations are below the applicable Soil Cleanup Target Levels (SCTLs) and Maximum Concentration Limits or Groundwater Cleanup Target Levels (GCTLs) as adopted in Chapter 62-777, F.A.C. (Effective date April 17, 2005). Therefore, NAS Key West has satisfied the site rehabilitation requirements for the above-referenced contaminated site and is released from any further obligation to conduct site rehabilitation at the contaminated site, except as set forth below. See the enclosed table (Exhibit 3), incorporated by reference herein, which includes information regarding the contaminants, affected media, and applicable cleanup target levels for the contaminated site that is the subject of this Order.

Failure to meet the following requirement will result in the revocation of this Order:

- (a) Except for those wells that may be required for the investigation of adjacent sites or that are otherwise required for compliance with Chapter 62-761, F.A.C., NAS Key West is required to properly abandon all monitoring wells within 60 days of receipt of this Order or an alternative time frame approved by the Department. The monitoring wells must be plugged and abandoned in accordance with the requirements of Rule 62-532.500(4), F.A.C.

Further, in accordance with Chapter 376.30701(4), Florida Statutes (F.S.), upon completion of site rehabilitation, additional site rehabilitation is not required unless it is demonstrated that:

- (a) Fraud was committed in demonstrating site conditions or completion of site rehabilitation;
- (b) New information confirms the existence of an area of previously unknown contamination which exceeds the site-specific rehabilitation levels established in accordance with Section 376.30701(2), F.S., or which otherwise poses the threat of real and substantial harm to public health, safety, or the environment;
- (c) The level of risk is increased beyond the acceptable risk established under Section 376.30701(2), F.S., due to substantial changes in exposure conditions, such as a change in land use from nonresidential to residential use. Any person who changes the land use of the site, thereby causing the level of risk to increase beyond the acceptable risk level, may be required by the department to undertake additional remediation measures to ensure that human health, public safety, and the environment are protected consistent with Section 376.30701, F.S., or

Tallahassee, Florida, 32399-3000, within 21 days of receipt of this Order. Petitioner, if different from Naval Facilities Southeast, shall mail a copy of the petition to Naval Facilities Southeast, 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 HSWA permit 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 requires 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 it is clerked, on the last 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 of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, 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 thirty days after this order is filed with the clerk of the Department (see below).

Mr. Dana Hayworth
Page Five
July 23, 2008

Questions

Any questions regarding the Department's review of your the Post Storm Surge Evaluation Report for SWMUs 1, 2, 4, and 5 and the recommendation for No Further Action for SWMU 4 should be directed to Tracie L. Bolanos at 2600 Blair Stone Road, Mail Station 4535, Tallahassee, Florida 32399-2400, telephone number (850) 245-8998, or e-mail at Tracie.Bolanos@dep.state.fl.us. 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,

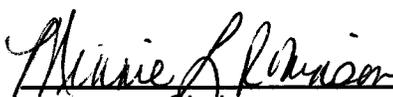


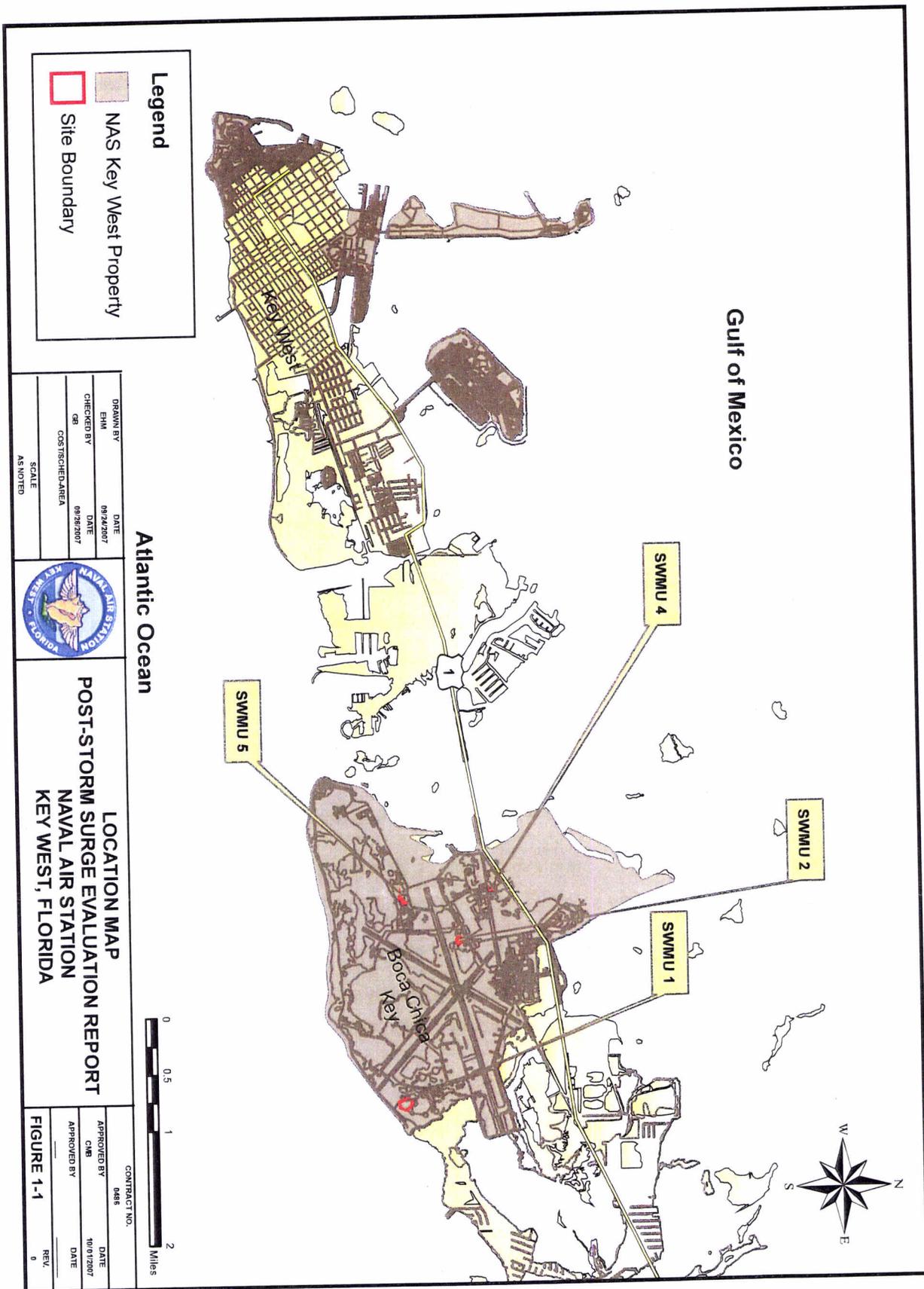
Douglas A. Jones, Chief
Bureau of Waste Cleanup
Division of Waste Management

DAJ/tlb

Enclosures (Exhibits 1, 2, and 3)

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to §120.52
Florida Statutes, with the designated
Department Clerk, receipt of which is
hereby acknowledged.

 July 23, 2008
Clerk Date
(or Deputy Clerk)





Legend

- Site Boundary
- Storm Surge Sample Location

DRAWN BY EHM	DATE 10/26/2007
CHECKED BY MLW	DATE 10/28/2007
COST/SCHED-AREA	
SCALE AS NOTED	



**SWMU 4
SAMPLE LOCATIONS
POST-STORM SURGE EVALUATION REPORT
NAVAL AIR STATION
KEY WEST, FLORIDA**

CONTRACT NO. 00486	
APPROVED BY CMB	DATE 10/31/2007
APPROVED BY	DATE
DRAWING NO. FIGURE 2-3	REV. 0

TABLE 3-8

**CHEMICALS DETECTED IN SWMU 4 SURFACE SOIL
DURING POST STORM SURGE SAMPLING
(NOVEMBER 2006)
NAVAL AIR STATION
KEY WEST, FLORIDA**

Sample	Parameter	Result	Action Level	Source of Action Level ^(a)
S4-SS-102-00-1106	ANTIMONY	0.52	27	Residential SCTL
S4-SS-103-00-1106	ANTIMONY	0.38		
S4-SS-104-00-1106	ANTIMONY	0.5		
S4-SS-106-00-1106	ANTIMONY	0.29		
S4-SS-101-00-1106	BERYLLIUM	0.015	120	Residential SCTL
S4-SS-102-00-1106	BERYLLIUM	0.044		
S4-SS-103-00-1106	BERYLLIUM	0.096		
S4-SS-104-00-1106	BERYLLIUM	0.032		
S4-SS-106-00-1106	BERYLLIUM	0.017		
S4-SS-101-00-1106	CADMIUM	1.4	82	Residential SCTL
S4-SS-102-00-1106	CADMIUM	5		
S4-SS-103-00-1106	CADMIUM	14.8		
S4-SS-104-00-1106	CADMIUM	9.2		
S4-SS-105-00-1106	CADMIUM	1.4		
S4-SS-106-00-1106	CADMIUM	0.79		

(a) Residential soil cleanup target level; FAC 62-777