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NSB KINGS BAY
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LETTER REGARDING THE TRANSMITTAL OF SIGNED CONSENT ORDER NSB KINGS BAY
GA
11/4/1983
GEORGIA DEPARTMENT OF NATURAL RESOURCES



JOE D. TANNER
Commissioner

J. LEONARD LEDBETTER
Division Director

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Department of Natural Resources

ENVIRONMENTAL PROTECTION DIVISION
270 WASHINGTON STREET, S W
ATLANTA, GEORGIA 30334

November 4, 1983

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

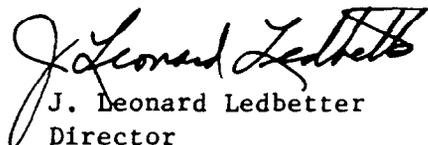
Mr. A. W. Johnson
Public Works Officer
Naval Submarine Base
Kings Bay, Georgia 31547

Dear Mr. Johnson:

Attached is a copy of a signed Consent Order between the Naval Submarine Base and the Georgia Environmental Protection Division.

Your cooperation in resolving the issues in this Consent Order is appreciated. We look forward to working with you as you prepare your Part B permit application.

Sincerely,


J. Leonard Ledbetter
Director

JLL: jdg
Enclosure
cc: James H. Scarbrough, EPA
John Taylor
File: Naval Submarine Base (R)

original variance, plus renewal, ever exceed a total period of two (2) years;
and

WHEREAS, the continued operation of this storage facility is considered to be in the best interest of the State; and

WHEREAS, Section 6 (11) of the Georgia Hazardous Waste Management Act authorizes the Director to issue an ORDER necessary to insure and enforce compliance with provisions of the Georgia Hazardous Waste Management Act; and

WHEREAS, an amicable disposition of this matter is considered to be in the best interests of the citizens of the State of Georgia;

NOW, THEREFORE, before the taking of any testimony and without adjudicating the merits of the parties' positions in this matter, the parties hereby resolve the issues in this case by agreement and upon the order of the Director and the Respondent as follows:

- (1) The Respondent shall comply with Chapter 391-3-11-.10 (1) and 391-3-11.05 (40 CFR Part 265) of the Georgia Rules for Hazardous Waste Management - "Standards Applicable to the Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities";
- (2) The Respondent shall comply with Chapter 391-3-11-.11 of the Georgia Rules for Hazardous Waste Management - "Hazardous Waste Facility Permits"; and
- (3) The Respondent shall submit a Part B permit application to EPD within 6 months of execution of this Order and submit a progress report on preparing the application within 3 months of this Order.

Notwithstanding any other provisions of this Order, an enforcement action may be brought pursuant to the Georgia Hazardous Waste Management Act, Section 18, Emergency Powers, or other statutory authority, should EPD find that treatment, storage, or disposal of hazardous waste by the Respondent presents an imminent and substantial endangerment to human health or the environment.

This Consent Order shall not constitute a finding or adjudication of a violation of any State Law by the Respondent, nor does said Respondent through

his agreement to this Consent Order admit any violation of any State Law or any liability to any third party or parties.

It is expressly understood by the parties that nothing herein is intended to release any claims, causes of action, demands in law or equity which the Environmental Protection Division may have against any person or entity not a party to this Consent Order for any liability they may have arising at, out of, or relating to in any way the storage, treatment, handling, disposal or transport of any hazardous waste or other waste at, to, from or near this facility.

By agreement of the parties, this Order shall be considered final and effective immediately and shall not be appealable, administratively or judicially, and the Respondent does hereby waive any hearing on the terms and conditions of same.

It is so Ordered, Consented and Agreed to this 4th day of November, 1983.

Sandra E. Hassler
Notary Public

SANDRA E. HASSER
Notary Public, Georgia, State At Large
My Commission Expires May 5, 1984

[Signature]
Notary Public

Notary Public, Georgia State at Large
My Commission Expires Nov. 3, 1986

J. Leonard Ledbetter
J. Leonard Ledbetter, Director
Environmental Protection Division

Date: November 4, 1983

Naval Submarine Base

A. W. Johnson
By: A. W. JOHNSON, CDR, CEC, USN

Title: Public Works Officer

Date: 21 October 1983