

N65928.AR.000933
NTC ORLANDO
5090.3a

LETTER REGARDING REGULATOR REVIEW AND COMMENT ON DEED FOR PARCEL 4
LANDFILL AREA OPERABLE UNIT 1 (OU 1) NTC ORLANDO FL
8/24/1999
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

File 7457
(FOST/ESST)

August 24, 1999

Mr. Wayne Hansel
Code 18B7
Southern Division
Naval Facilities Engineering Command
P.O. Box 190010
North Charleston, South Carolina 29419-0068

RE: Deed for Parcel 4, Landfill Area, Naval Training Center
Orlando, Florida

Dear Mr. Hansel:

I have completed the review of the Deed for Parcel 4, dated July 30, 1999 (received by fax on August 13, 1999). While the deed lists the land and groundwater use restrictions specified in the Finding of Suitability to Transfer (FOST) and Record of Decision (ROD) for Operable Unit 1, the Department requires a Restrictive Covenant be applied to the property implementing those land and groundwater use restrictions. The Restrictive Covenant shall grant the Department a perpetual conservation easement on the property that shall run with the land and the title to the property and that will be binding on all subsequent owners of the property. The Restrictive Covenant shall also be enforceable by the Department through injunctive relief or other available remedies. I have attached an example of a Restrictive Covenant and a Declaration of Restrictive Covenant that have been worked out for the Main Base Golf Course transfer. Please note that this Restrictive Covenant requirement is applicable to all properties to be transferred where a land and/or groundwater use restriction is required to be implemented. Please forward this letter to the appropriate legal and real estate personnel for their use in preparing deeds.

If I can be of any further assistance with this matter, please contact me at (850)488-3693.

Sincerely,

David P. Grabka
Remedial Project Manager

attachments

Mr. Wayne Hansel
August 24, 1999
Deed for OU-1 Parcel
Page 2

cc: Barbara Nwokike, Navy SouthDiv
Nancy Rodriguez, USEPA Region 4
Richard Allen, HLA, Jacksonville
Steve McCoy, TetraTech NUS, Oak Ridge
Al Aikens, CH2M Hill, Orlando
Bill Bostwick, FDEP Central District
David Thulman, FDEP OGC

TJB

B

JJC

JJC

ESN

ESN