



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

DEC. 09 1994

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NSWC PANAMA CITY
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4WD-RCRA

OVERNIGHT FEDERAL EXPRESS

Captain David C. Steere
Commanding Officer
USN Coastal Systems Center
Panama City, Florida 32407-5000

SUBJ: Notice of Violation (NOV) and Opportunity to Show Cause
EPA ID Number: FL8 170 023 792

Dear Captain Steere:

The United States Environmental Protection Agency (EPA), Resource Conservation and Recovery Act (RCRA) Compliance Section, has completed a review of USN Coastal Systems Center's compliance with the conditions of its Hazardous and Solid Waste Amendment (HSWA) permit. Based on the results of the review, EPA has determined that USN Coastal Systems Center is in violation of certain requirements of RCRA, 42 U.S.C. §§ 6901, et seq., and the HSWA permit dated December 6, 1985.

Specifically, EPA alleges that USN Coastal Systems Center has violated 40 C.F.R. § 264.101 and Section II.B.4. of the HSWA permit by failing to submit the draft Phase 2 RCRA Facility Investigation (RFI) Report pursuant to the approved Corrective Action Management Plan. The draft Phase 2 RFI report was due to EPA on October 31, 1994. This is a violation of condition II.B.4. of the HSWA permit and 40 C.F.R. § 264.101.

Pursuant to Section 3008(a) of RCRA, 42 U.S.C. 6928(a), EPA may assess penalties up to \$25,000 per day of noncompliance for each violation of RCRA and its implementing regulations, found, in part, at 40 C.F.R. Parts 260-270.

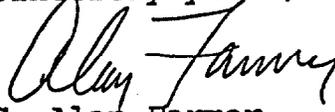
USN Coastal Systems Center may request a meeting with EPA, at its Regional Office at 345 Courtland Street, Atlanta, Georgia. If a meeting is desired, USN Coastal Systems Center should contact Kenneth Lapierre at EPA within fifteen (15) calendar days of receipt of this letter to schedule a meeting date. At the time of the meeting, USN Coastal Systems Center will be given the

opportunity to show cause why EPA should not take formal enforcement action against USN Coastal Systems Center in connection with the violation listed above, including the assessment of appropriate civil penalties. At this meeting, USN Coastal Systems Center will be allowed to present information relevant to 1) the factual basis for EPA's allegations, and 2) factors that might mitigate penalties which may potentially be assessed as a result of the aforementioned violation. USN Coastal Systems Center should be prepared to provide relevant documentation of matters it presents at the meeting. EPA may consider information provided in the meeting in civil or criminal proceedings related to this matter.

USN Coastal Systems Center may be represented by legal counsel. Due to the informal nature of the meeting, neither USN Coastal Systems Center nor EPA will be allowed to have the proceedings transcribed by a court reporter.

If you have any questions, please contact Mr. Kenneth R. Lapierre, of my staff, at (404) 347-3555 ext. 6393.

Sincerely yours,



G. Alan Farmer
Chief, RCRA Branch
Waste Management Division

cc: Satish Kastury, FDEP
Bill Kellenberger, FDEP - Northwest District
Eric Nuzie, FDEP
David Clowes, FDEP
John Mitchell, FDEP
Jim Reed, NAVFACENGCOM Southern Division
Steve Beverly, NAVFACENGCOM Southern Division