

Gates, William H CIV NAVFAC SE

N61331.AR.000889

From: Griffin, John [John.Griffin@dep.state.fl.us]
Sent: Thursday, September 13, 2007 10:22 AM
To: Bolanos, Tracie; Gates, William H CIV NAVFAC SE
Cc: Johnston, Tom; Clayton, Michael D Environmental IPM NSA Panama City; Mcdonald, Arturo NSA Panama City; Kuncicky, Daniel
Subject: RE: PANAMA CITY PERMIT MOD AND STATEMENT OF BASIS STATUS

NSWC PANAMA CITY

5090.3a

Tracie,

I will not be able to make changes in the permit after I sent out the Intent to Issue.

From: Bolanos, Tracie
Sent: Thursday, September 13, 2007 10:07 AM
To: 'Gates, William H CIV NAVFAC SE'; Griffin, John; Bolanos, Tracie
Cc: 'Johnston, Tom'; 'Clayton, Michael D Environmental IPM NSA Panama City'; 'Mcdonald, Arturo NSA Panama City'
Subject: RE: PANAMA CITY PERMIT MOD AND STATEMENT OF BASIS STATUS

Bill, You and I have already talked about this email. I thought I would send it out for the sake of record.

I spoke to John Griffin and found out the following (my responses will be in orange). You need to know that a gentleman by the name of Daniel Kancicky and his phone number is(850)245-8786.

Tracie L. Bolanos
Project Manager
Florida Department of Environmental Protection 2600 Blainstone Road Tallahassee, Florida
32399 Phone (850) 245-8998

From: Gates, William H CIV NAVFAC SE [mailto:william.gates@navy.mil]
Sent: Wednesday, September 12, 2007 3:39 PM
To: Bolanos, Tracie; Griffin, John
Cc: Johnston, Tom; Clayton, Michael D Environmental IPM NSA Panama City; Mcdonald, Arturo NSA Panama City
Subject: PANAMA CITY PERMIT MOD AND STATEMENT OF BASIS STATUS

Tracie, John,

To answer my action item from today's (Wednesday) Panama City Partnering Team conference call, the following is presented to clarify where we are today and identify when we will be ready to submit our permit mod request.

SWMU 9 - FDEP letter of December 29, 2006 states: "The Department concurs with the request for No Further Action (Risk Management Option Level I in 62-780(1) FAC) for SWMU 9." We will request the permit be modified to move SWMU 9 from Appendix A.1 (SWMUs requiring an

RFI) to A.2 (SWMUs granted a No Further Action).

[Bolanos, Tracie] John needs to get a formal letter stating that SWMU 9 has been changed according to the information in the preceding paragraph to make this change in the permit mod. I will be stating the same for some of the other sites and they can all be addressed in one letter.

SWMU 3 - This SWMU completed its SOB public comment period on May 31, 2007 with no comments. The SWMU 3 SOB and concurrence letter are being revised to incorporate MacDill AFB LUC language and incorporate University of Florida (UF) eco risk conclusion. A soil LUC will be required. Upon FDEP signature of the concurrence letter we will be able to request the permit be modified to move SWMU 3 from Appendix A.1 (SWMUs requiring an RFI) to "?".

[Bolanos, Tracie] Changing the LUC language should not require another public notice for the SOB. If something major like the remedy was being changed, that would require another public notice. This site will need to be included in the formal letter that I refer to in my response to SWMU 9.

I do not see an appendix that is applicable to a LUC only status. How is this to be handled?

[Bolanos, Tracie] This is handled in Part VI Remedy Selection Implementation in the HSWA permit.

Does the SOB change (LUC language and UF conclusion) require an additional public comment period? If yes can it be concurrent with the permit mod public comment period?

[Bolanos, Tracie] No

AOC 1, SWMU 10 - These SWMUs completed their SOB public comment period on May 31, 2007 with no comments. They are further behind in the FDEP review process but at a minimum the SOB and concurrence letter will be revised to incorporate MacDill AFB LUC language. Both sites require groundwater monitoring and a LUC. Upon FDEP signature of the concurrence letter we will be able to request the permit be modified to move SWMU 10 and AOC 1 from Appendix A.1 (SWMUs requiring an RFI) to "?".

[Bolanos, Tracie] Changing the LUC language should not require another public notice for the SOB. If something major like the remedy was being changed, that would require another public notice. This site will need to be included in the formal letter that I refer to in my response to SWMU 9.

I do not see an appendix that is applicable to a groundwater monitoring and LUC status. How is this to be handled?

[Bolanos, Tracie] This is handled in Part VI Remedy Selection Implementation in the HSWA permit.

Does the SOB change (LUC language) require an additional public comment period? If yes can it be concurrent with the permit mod public comment period?

[Bolanos, Tracie] Changing the LUC language should not require another public notice for the SOB. If something major like the remedy was being changed, that would require another public notice.

SWMU 2 - The draft SOB was submitted August 27 for FDEP review in order to have public notice. SWMU 2 requires groundwater monitoring and a LUC. Once FDEP approves the SOB, can the SOB public comment period can be concurrent with the permit mod public comment period?

[Bolanos, Tracie] Yes you can have the public comment period that is concurrent with the permit mod public comment period. You, NAVFACSEVENTEENTH will be able to make the change to the permit when you get the approval letters from FDEP.

My understanding is that the Navy must submit a letter to John requesting a permit mod. The best scenario is to be able to include the final decision for all five sites (SWMUs 2, 3, 9, 10, and AOC 1) in the permit mod request, including the five year extension. I think the latest date for the 45 day public comment period is November 15 through Dec. 31, 2007, meaning the Navy would request the permit mod NLT than November 1. This would give John the month of January to complete the permit mod. Is this reasonable?

[Bolanos, Tracie] This is the letter I refer to in previous text and the time frame is reasonable. If John is not available, his replacement, Daniel ?, should be able to handle the rest.

At a minimum we are ready today to issue the permit mod request for the SWMU 9 NFA. The other four sites (SWMUs 2, 3, 10, AOC 1) are dependent on SOB and concurrence letter actions described above. With your input to the above questions we will be better able to determine if it is feasible to include any or all of the remaining four sites in the permit mod request.

[Bolanos, Tracie] The only thing I question here is getting all of these sites approved prior to November 15, John, all of these sites need to be approved by us (signature from Mary Jean Yon) prior to submitting anything for public comment....right? We can not change sites status in the permit after public comment period has started?

Your input is appreciated.
Bill