

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL REGULATION

11423



NORTHWEST DISTRICT

160 GOVERNMENTAL CENTER  
PENSACOLA, FLORIDA 32501-5794

BOB GRAHAM  
GOVERNOR

VICTORIA J. TSCHINKEL  
SECRETARY

ROBERT V. KRIEDEL  
DISTRICT MANAGER

N00204.AR.000034

NAS PENSACOLA

5090.3a

October 11, 1985

**WARNING NOTICE**  
**NBW 17-1076**

**CERTIFIED, RETURN**  
**RECEIPT REQUESTED**

Captain Donald B. Campbell  
Public Works Center  
Naval Air Station  
Pensacola, Florida 32508

Dear Mr. Campbell:

On January 8, 1985, the Department issued the Navy a permit, HT17-68087, to temporarily operate its hazardous waste facilities, i.e. the surface impoundments and the container storage area at the Public Works Center.

Permit conditions 18(b) and (c) of HT17-68087 require that *the* Navy submit a modified ground water monitoring corrective action plan on or before *October* 8, 1985. To date, we have not received these plans.

The failure to submit these plans constitutes specific violations of Florida Administrative Code Rule 17-30 and Chapter 403, Florida Statutes which are referenced as follows for *your* review:

<u>violation</u>	<u>Rule/Statute</u>
Facility failed to submit ground water plan for corrective action program at the industrial waste treatment facility to the Department by <i>October</i> 8, 1985. The plan is to conform with the requirements of 264.100. and provide a schedule for its implementation.	Permit HT17-68087 Condition 18(b)

Violation

Rule/Statute

Facility failed to submit a modified ground water monitoring plan to the Department by **October 8, 1985**. The plan is to include proposed location and rationale for siting and **depth** of wells. The plan must conform to the requirements of 17-4.245(6) and **17-30.18(c)** and must provide a schedule for its implementation within **six** months of Department approval.

Permit HT17-68087  
Condition 18(c)

Should any hazardous waste facility to which a **TOP** has been issued fail to comply with the compliance dates the Department may revoke the permit or take other appropriate action.

FAC Rule 17-30.23(5)

It **is** a violation to fail to **comply** with any permit issued by the Department pursuant to its lawful authority.

Section 403.161(1)(b),

under the **EPA/DER RCRA** enforcement agreement, the failure of a **waste handler** to meet a compliance schedule contained in a permit is classified as a Class I violation. **As such, it is the** intent of the Department to initiate an administrative action against the Navy to seek compliance with the TOP, Chapter 403, Florida Statutes and the rules promulgated thereunder.

**In the event** you should have any questions regarding this matter, please feel free to contact Mr. Charles Goddard of this office at 436-8320 .

Sincerely,



George E. Hoffman Jr.  
District Enforcement Officer

GEH:cgd

50.1 Internal Requests for AR inclusion

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