



UNITED STATES ENVIRONMENTAL PROTECTION

REGION IV

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

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NAS PENSACOLA
5090.3a

4WD-RCRA & FF

Mr. David Criswell
Southern Division
NAVFAC-ENCOM
2155 Eagle Drive
Mailcode 11526
Charleston, SC 29411-0068

SUBJECT: Placement of Letters of Intent and Federal Facility
Agreements into Information Repositories for Naval
Air Stations: Cecil Field, Jacksonville, and
Pensacola

Dear Mr. Criswell:

Please find enclosed clean copies of the above referenced
Federal Facility Agreements (FFA) with Appendices. EPA has
requested Ms. Stehle, Deputy Director of the Environment for
the Navy to transmit the signed Letters of Intent (LOI) to the
attention of James Malone at Southern Division Naval
Engineering Command. Southern Division will transmit the LOIs
to the individual commands for placement in the information
repositories specified in the public notices.

According to the LOI, the public notice must be published
within fifteen (15) days of the final signature which executes
the LOI. Therefore EPA requests that the LOIs and FFAs be
expeditiously placed in the information repositories. We
request that you contact Ms. Nancy Dean at (404) 347-3016 via
telephone when the documents are in the repository. EPA will
then proceed to publish the public notices and issue the press
release.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Beverly A. Spagg".

Beverly A. Spagg, Chief
Federal Facilities Section
Waste Management Division

cc: with enclosure, Eric Nuzie, FDER
Dave Pipkin, NAS Cecil Field
Tim Curtin, NAS Jacksonville
Ron Joyner, NAS Pensacola

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
UNITED STATES DEPARTMENT OF NAVY
AND
STATE OF FLORIDA

NOTICE OF INTENT TO EXECUTE
FEDERAL FACILITY AGREEMENT
AND
NOTICE OF PROPOSED STATE AGENCY ACTION

The U.S. Environmental Protection Agency (EPA), the U.S. Department of Navy (DON), and the state of Florida represented by the Florida Department of Environmental Regulation (FDER) declare their intent to execute the Federal Facility Agreement for NAS Pensacola (Agreement). The Parties agree that:

Within fifteen (15) days of the execution of this Notice, the Parties shall: (1) publish this notice of intent to execute the Agreement and the attached Notice of Proposed Agency Action; and (2) make available for review by the public copies of the Agreement and all appendices.

The Parties shall accept written comments for a period of forty-five (45) days following publication of this Notice. After the close of the comment period, the Parties will review and respond to such comments. The Parties will determine whether the comments disclose facts or considerations which indicate that the proposed Agreement is inappropriate, improper or inadequate. Upon resolution of the public comments by the Parties, the Parties shall execute the Agreement. The rights of substantially affected persons to challenge FDER's proposed agency action are described in the attached Notice of Proposed Agency Action.

U.S. ENVIRONMENTAL PROTECTION AGENCY

By: Joe R. Franzmiller
Greer C. Tidwell, Regional
Administrator, Region IV

STATE OF FLORIDA

By: Dale Twachtman
Dale Twachtman, Secretary
Florida Department of Environmental Regulation

U.S. DEPARTMENT OF THE NAVY

By: Jacqueline E. Schaffer 06 August 1990
JACQUELINE E. SCHAFER
The Assistant Secretary of the Navy
(Installations and Environment)

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL
REGULATION NOTICE OF PROPOSED AGENCY ACTION

The Department of Environmental Regulation gives notice of agency action of entering into a Federal Facilities Agreement with the U.S. Environmental Protection Agency and the U.S. Department of the Navy pursuant to Florida Administrative Code Rule 17-103.110. The Federal Facilities Agreement addresses investigation and remediation of contamination at the NAS Pensacola Site in Pensacola, Florida.

The Federal Facilities Agreement is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Regulation, Northwest District, 160 Governmental Center, Pensacola, Florida 32501-5794.

Persons whose substantial interests are affected by the above proposed agency actions have a right to petition for an administrative determination (hearing) on the proposed action. The petition must conform to the requirements of Chapters 17-103 and 28-5, Florida Administrative Code, and must be filed (received) with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 21 days of publication of this notice. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative determination (hearing) pursuant to Section 120.57, Florida Statutes. However, the failure to file a petition will not affect any rights such persons may have to comment on the agreement as provided under Federal law.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the proposed agency action. Persons whose substantial interests will be affected by any decision of the Department, have the right to intervene in the proceeding. A petition for intervention must be filed pursuant to Model Rule 28-5.207, Florida Administrative Code at least five (5) days before the final hearing and be filed with the Hearing Officer if one has been assigned at the Division of Administrative Hearings, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such person has to an administrative determination (hearing) under Section 120.57, Florida Statutes.