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NAS PENSACOLA  
5090.3a

LETTER AND COMMENTS FROM FLORIDA DEPARTMENT OF ENVIRONMENTAL  
PROTECTION REGARDING CONTAMINATION ASSESSMENT REPORT ADDENDUM AND  
NO FURTHER ACTION PROPOSAL SITE 6, UNDERGROUND STORAGE TANK 119  
(UST119) NAS PENSACOLA FL  
1/2/1996  
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



# Department of Environmental Protection

Lawton Chiles  
Governor

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

Virginia B. Wetherell  
Secretary

January 2, 1996

Mr. Byas Glover  
Code 18410  
Southern Division  
Naval Facilities Engineering Command  
2155 Eagle Drive  
Post Office Box 190010  
North Charleston, South Carolina 29419-9010

RE: AVGAS Pipeline Site 6, UST 119, Naval Aviation Depot  
NAS Pensacola  
FDEP #179202073

Dear Mr. Glover:

The Bureau of Waste Cleanup has reviewed the Contamination Assessment Report Addendum (CARA) and No Further Action Proposal (NFAP) dated November 1995 (received November 21, 1995), submitted for this site (AVGAS Pipeline Site 6, UST 119). Documentation submitted with the CAR Addendum and NFAP confirms that criteria set forth in Rule 62-770.630(3), Florida Administrative Code (F.A.C.), have been met. The NFAP is hereby incorporated by reference in this Order. Therefore, you are released from any further obligation to conduct site rehabilitation at the site, except as set forth below.

If a subsequent discharge of petroleum or petroleum product occurs at the site, the Department may require site rehabilitation in order to reduce contaminant concentrations to the levels approved through review of the NFAP or otherwise allowed by Chapter 62-770, F.A.C.

Additionally, you are required to properly abandon all monitoring wells except compliance wells required by Chapter 62-761, F.A.C., for release detection. The wells must be abandoned in accordance with the requirements of Rule 62-532.500(4), F.A.C.

Persons whose substantial interests are affected by this Site Rehabilitation Completion Order have the right to challenge the Department's decision. Such a challenge may include filing a petition for an administrative determination (hearing) as described in the following paragraphs. However, pursuant to

*"Protect, Conserve and Manage Florida's Environment and Natural Resources"*

Chapter 62-103, F.A.C., you may request an extension of time to file the Petition. All requests for extensions of time or petitions for administrative determinations must be filed directly with the Department's Office of General Counsel at the address given below within twenty-one (21) days of receipt of this notice (do not send them to the Bureau of Waste Cleanup).

Notwithstanding the above, a person whose substantial interests are affected by this Site Rehabilitation Completion Order may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within twenty-one (21) days of receipt of this notice. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

The Petition shall contain the following information:

- (a) The name, address, and telephone number of each petitioner, the Department file number (DEP facility number), and the name and address of the facility;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
- (d) A statement of the material facts disputed by each petitioner, if any;
- (e) A statement of facts which each petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes each petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by each petitioner, stating precisely the action each petitioner wants the Department to take with respect to the Department's action or proposed action.

This Site Rehabilitation Completion Order is final and effective on the date of receipt of this Order unless a petition (or time extension) is filed in accordance with the preceding paragraphs. Upon the timely filing of a petition, this Order will not be effective until further order of the Department.

When the Order is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, F.S., by filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of

Mr. Byas Glover  
January 2, 1996  
Page three

the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; and by filing a copy of the Notice of Appeal, accompanied by the applicable filing fees, with the appropriate District Court of Appeal. The Notice of Appeal must be filed within thirty (30) days from the date the Final Order is filed with the Clerk of the Department.

Any questions you may have on the technical aspects of this Site Rehabilitation Completion Order should be directed to John W. Mitchell, Remedial Project Manager, at (904) 488-3935. Contact with the above named person does not constitute a petition for administrative determination.

Sincerely,



John M. Ruddell, Director  
Division of Waste Management

JMR/jwm

c: Ron Joyner, Environmental NAS Pensacola  
Dean Spencer, Environmental NAS Pensacola  
Tom Moody, DEP NW District Office, Pensacola, FL  
Mark Diblin, ABB, Tallahassee

TJB



JJC



ESN

