



THE CITY OF KEY WEST

Post Office Box 1409
Key West, FL 33041-1409

**ADDENDUM NO. 2
ITB No. 15-022
TRUMAN WATERFRONT PARK PHASE 1A**

This addendum is issued as supplemental information to the bid package for clarification of certain matters of both a general and a technical nature. The referenced bid package is hereby amended in accordance with the following items:

1.0 CONTRACTOR QUESTIONS AND RESPONSES:

1.01 Please provide rim elevations and inverts for “storm-water Inlets” within NTP 2, as they are not included on the structure table.

RESPONSE: Inlet rim elevations have been added to CP-03. Revised drawing included in this addenda.

1.02 Will there need to be a 2FT clean soil cap across the entire project?

RESPONSE: Parcel E2 currently has two feet (2') of fill over the contaminated soil. The contractor is responsible for providing an Engineering Control as defined in the Soil and Groundwater Management Plan (SGMP). Two feet (2') clean soil cap or other acceptable Engineering Control is only required for Parcels E2 and E3.

1.03 In reference to contaminated parcels, can the contractor re-use excavated soils within the top 2FT under impervious surfaces? Such as under asphalt or concrete.

RESPONSE: Per the SGMP, yes they can.

1.04 Will the contractor be able to re-use crushed concrete and asphalt onsite?

RESPONSE: The contractor is permitted to re-use recycled/crushed concrete as long as it meets the requirements defined in the Technical Specifications. Re-use of asphalt is PROHIBITED.

1.05 Is it the responsibility of the contractor to properly dispose of any excess fill at the end of the project or will the City pay for disposal?

RESPONSE: Yes it is the contractor's responsibility to properly dispose of excess fill at the end of the project at no additional cost to the City.

- 1.06 The most feasible option would be that the City (to) provide a disposal contingency or pay for disposal directly, as the contractor is limited on his ability to calculate this quantity accurately. Since a portion of the excavated fill may test at acceptable local disposal levels and some may test at higher levels requiring disposal at a landfill.

RESPONSE: It is the contractor's responsibility to understand the proposed improvements including those involving excavation, cut and fill. The City will NOT provide a disposal contingency or pay for disposal directly.

- 1.07 Will contaminant testing of the excavated stockpiles also be the responsibility of the contractor?

RESPONSE: Yes. Contamination testing of the excavated soil within known contaminated parcels will likely be necessary for offsite disposal characterization. The contractor should confirm the analytical parameters with the disposal facility. Note that soil excavated from a contaminated site may only be re-used within that same parcel. No testing will be required to re-use the soil within its originating parcel as long as it is utilized in a manner consistent with the provision of the Soil and Groundwater Management Plan and the required Engineering Controls.

- 1.08 In reference to plan Page SM-00 (Parcels E1, E2, E3, K...), since the site has been separated into sections based on soil contaminants, is the contractor to create a bermed laydown area for each parcel, in order to not cross contaminate soils?

RESPONSE: It is the responsibility of the contractor to implement the necessary measures to manage the soil and prevent cross contamination across parcels. Stockpiles must be managed to separate clean soil from contaminated soil. Section 3.3 of the Soil and Groundwater Management Plan provides additional guidance regarding stockpile management. Additionally, dust and sediment control requirements are addressed in Section 3.2 of the Soil and Groundwater Management Plan.

- 1.09 In reference to NTP 3 (ADD ALT 1), it states to "Saw cut curvy edge along east side of Quay/pedestrian promenade (in NTP3; north to Building 103...)". This work extends into NTP 2, and there is no alternate provided for NTP 2 saw cutting. How should the contractor handle this?

RESPONSE: The saw cutting of the curved East Quay concrete edge Add Alternate is only part of NTP3. The curved saw cut edge in NTP2 is part of the base bid. The dividing line between what is in the NTP2 base bid and NTP3 Add Alternate is the NTP phase line shown and labeled on plan sheets and graphically depicted on PP-00. The language for this Alternate in the Proposal has be clarified. A revised version of Page 15 (Proposal page 5 of 9) is included in this Addendum.

- 1.10 In reference to NTP 3 (ADD ALT 2), it states "Provide materials, labor and equipment to apply stained concrete wavy pattern on walkways as shown on the Hardscape Paving and Finishes Plans and Details and technical specifications..." This work extends into NTP 2, and there is no alternate provided for NTP 2 concrete staining. How should the contractor handle this?

RESPONSE: The staining of the concrete, as shown on LF-02, LF-03 and LF-04, extends the length of NTP 2 and NTP3, along the East Quay from Admiral's Cut to the boat ramp. Staining will be completed in NTP3 should the City choose to accept this Alternate. The language for this Alternate in the Proposal has be clarified. A revised version of Page 15 (Proposal page 5 of 9) is included in this Addendum.

- 1.11 In reference to Site Demolition plan CS-01 & CS-02, the curvy cut concrete seawall cap or slab that is hatched is showing “existing concrete to be demolished”. Is this work to be included in additive alternates or base bid for each NTP? As it is not specified on the demo plan but asked for in the bid docs as an alternate.

RESPONSE: The Demolition Plans are delineated with the NTP phase line. Therefore, concrete demolition in NTP 2 shall be completed when work on that area is completed. The same principals apply to NTP 3.

- 1.12 In reference to mooring bollard refurbishment, are we to refurbish all mooring bollards along the project within NTP 2/NTP 3?

RESPONSE: Contractor shall refurbish all mooring bollards and do so as part of NTP2.

- 1.13 Please provide a detail explain how the mooring bollards need to be refurbished.

RESPONSE: Per No. 16 on the Paving and Finishes Legend on LF-06, contractor shall “sand blast to raw metal, apply primer and 2 coats of paint”.

- 1.14 In the GMP it states “If groundwater is extracted, it must be contained, characterized and treated (if required) prior to discharge to a permitted discharge point or disposed off-site...” Please define what areas will require extracted groundwater treatment. Would carbon filtration be an adequate treatment for extracted groundwater? (Encotech carbon filtration system).

RESPONSE: Petroleum groundwater impacts have been documented at Parcels E2 and E3. Therefore, we would anticipate that treatment of dewatering effluent would be required for dewatering on those parcels. Also note that dewatering activities conducted on adjacent parcels may affect the migration of contaminated groundwater on the affected parcels. It is incumbent upon the contractor to demonstrate that dewatering will not cause migration of contaminated groundwater and a dewatering plan must be submitted to FDEP. The dewatering plan should propose the treatment details for FDEP approval. FDEP will make the determination if the carbon filtration system that is proposed will be sufficient. Carbon filtration is a typical treatment for petroleum impacted groundwater; however additional treatment may be necessary if other constituents are detected in the groundwater.

- 1.15 The geometry sheets don't list any horizontal control points or coordinates for layout. The engineer needs to have the project tied to horizontal control points and provide coordinates for everything. This is a very detailed design and needs to be staked to plan, not just made up in the field. Please provide this information.

RESPONSE: Horizontal control will be provided to the successful bidder prior to construction.

2.0 CLARIFICATIONS:

- 2.01 Contaminated soil may be used within the respective parcel it is excavated from, shown on the SMP and GMP Reference Map. Soil excavated or exposed from below 2'-0" within Parcel E2 and below the concrete slab within Parcel E3 are required to be covered with an “Engineering Control” as defined in the SGMP.

- 2.02 Excavated soil cannot be relocated from one parcel to another parcel.

- 2.03 Clean soil mixed with contaminated soil shall be considered contaminated.

- 2.04 The 90% opinion of probable cost includes line items for implementing the SGMP.

- 2.05 Contaminated soil can be “processed”, as defined in the SGMP, and used for various purposes, such as “bedding” for underground pipes and conduit, as long as engineering controls are provided in accordance with the SGMP.
- 2.06 CONTRACTOR logistics for placing the site in safe condition to accommodate City Events, such as the Boat Races, is the CONTRACTOR’S responsibility and is not justification for a change order or additional compensation.
- 2.07 Excavated contaminated soils may remain within the same parcel until they are re-used or disposed. However, contaminated soils must be secured in such a manner as to be protected from human access (e.g. fenced) and exposure to weather or humans (securely covered with an impermeable material). The materials used to secure the soils must be regularly maintained to ensure that they do not deteriorate or move such as that soils become exposed at any time.
- 2.08 Soils located within a contaminated parcel must be treated as such and are therefore subject to the requirements outlined in the Soil and Groundwater Management Plan. According to the approved Soil and Groundwater Management Plan, soils may remain and be re-used within the same contaminated parcels as long as the required Engineering Control measures applicable to that parcel are implemented.
- 2.09 Technical Specifications Section 329300-14, Paragraph 3.14 is amended at follows:
- A. *Contractor is responsible for maintenance of all landscape for one (1) year from the date of Final Acceptance of each respective NTP.*
- 2.10 The CONTRACTOR has the flexibility to bury/consolidate contaminated soil encountered or excavated within a Parcel. That is to say, the CONTRACTOR is permitted to excavate/strip the Engineering Control (2’-0” of clean soil) in Parcel E2, stockpile that clean soil within E2, raise the grades in E2 with contaminated soil from elsewhere in the Parcel and then add 2’-0” of clean fill or other Engineering Control, including the stockpiled material, on top of the contaminated soil.
- 2.11 Technical Specifications Section 329300-7, Paragraph 2.3, is amended at follows:
- A. *Granite Mulch: Free from deleterious materials and suitable as top dressing of trees and shrubs and consisting of.*
1. *Type: Granite. Mulch containing Calcium Carbonate or Limestone is strictly prohibited.*
 2. *Size Range: ½” diameter, Poorly Graded containing no fines or other material that might impeded the flow/exchange of oxygen or water necessary for vigorous plant growth and health.*
 3. *Color: light brown to tan. Contractor to provide sample to Landscape Architect for approval.*

2.12 Technical Specifications Section 329300-14, Paragraph 3.9, is amended at follows:

B. Mulch backfilled surfaces of planting areas and other areas indicated.

- 1. Trees in Turf Areas: Apply granite mulch ring of 2-inch depth, with 36-inch (900-mm) diameter ring around trunks or stems. Do not place mulch within 2 inches of trunks or stems.*
- 2. Granite Mulch in Grass Planting Beds: Apply 2-inch depth mulch extending 12 inches (300 mm) beyond edge of individual planting pit or trench and over whole surface of planting area, and finish level with adjacent finish grades. Do not place mulch within 2 inches (50.8 mm) of trunks or stems.*

3.0 CONTRACT DOCUMENT CHANGES:

3.01 In addition to providing vehicular and pedestrian access to adjacent uses, CONTRACTOR shall also provide the same level of access to the boat ramp and the USCGC Ingham Floating Museum.

3.02 Amend Technical Specification Section 12300-2, 3.1, A. 1. and PROPOSAL, Page 5 of 9, NTP3 BID ADD ALTERNATE No. 1. are amended to say “north of Building 103” instead of “north to Building 103”.

3.03 Technical Specification Section 012300-2, Part 3, is amended to add:

E. Add Alternate No. 4: Additional Pollution Liability Insurance.

- 1. The cost for an additional \$3,000,000 in Pollution Liability Insurance (above and beyond the minimum \$2,000,000 already required).*

3.04 PROPOSAL, Page 5 of 9, is amended to include ADD ALTERNATE No. 4 to include the following: Additional cost to provide \$5,000,000 in Pollution Liability Insurance.

3.05 The following attachments are included in Addendum No. 2 and are considered incorporated and part of the Contract Documents and are the CONTRACTORs responsibility to recognize and follow:

- a. Cone of Silence per Section 2-773 of the City of Key West Code of Ordinance
- b. Unreasonable Excessive Noise per Section 26-192 of the City of Key West Code of Ordinance
- c. Maintenance of Traffic
- d. Demonstration of Remediation Completion and Proposal for Removal of Deed Letter and Exhibit
- e. Conditional Site Rehabilitation Completion Order (SRCO) Letter, Tables and Exhibits
- f. Page 5 of 9 of the PROPOSAL

4.0 DRAWING CHANGES:

All revised and modified drawings are noted with a Delta 1 and clouded. A general description of drawing changes include the following:

- 4.01 Alterations to Angela Street ingress/egress and surrounding parking lots and irrigation and electrical equipment. See Civil, Electrical, Hardscape, Landscape and Irrigation Drawings.
- 4.02 Modified spot grades and grading at the playground area in NTP 2; see Paving, Grading & Drainage and LF-12 Drawings.
- 4.03 Irrigation storage tank size has increased; see Irrigation Drawings.
- 4.04 At the Southard Street traffic circle, the sidewalk has moved to increase area/distance between back of curb and edge of sidewalk. See Site Plan, Phasing Plan, Civil, Electrical, Hardscape, Landscape and Irrigation Drawings.
- 4.05 The NTP Phase Line has been adjusted to accommodate the relocated sidewalk at the Southard Street traffic circle changes within NTP 1. See Site Plan, Phasing Plan, Civil, Electrical, Hardscape, Landscape and Irrigation Drawings.
- 4.06 The surface under the exercise equipment, in NTP3, has been changed from concrete to poured-in-place rubberized surface. See Hardscape Paving & Finishes Drawings and Details.
- 4.07 NTP3 Alternate No. 1 text/description on LF-03 and LF-04 has changed as noted Item 3.02 above.
- 4.08 Landscape mulch specifications has been amended on LL-06 and LL-07.

All Bidders shall acknowledge receipt and acceptance of this Addendum No. 2 by submitting the addendum with their proposal. Proposals submitted without acknowledgement or without this Addendum may be considered non-responsive.

Signature

Name of Business

- Sec. 2-773. - Cone of silence.

(a)

Definitions. For purposes of this section, reference to one gender shall include the other, use of the plural shall include the singular, and use of the singular shall include the plural. The following definitions apply unless the context in which the word or phrase is used requires a different definition:

(1)

Competitive solicitation means a formal process by the City of Key West relating to the acquisition of goods or services, which process is intended to provide an equal and open opportunity to qualified persons and entities to be selected to provide the goods or services. Competitive solicitation shall include request for proposals ("RFP"), request for qualifications ("RFQ"), request for letters of interest ("RFLI"), Invitation to bid ("ITB") or any other advertised solicitation.

(2)

Cone of silence means a period of time during which there is a prohibition on communication regarding a particular competitive solicitation.

(3)

Evaluation or selection committee means a group of persons appointed or designated by the city to evaluate, rank, select, or make a recommendation regarding a vendor or the vendor's response to the competitive solicitation. A member of such a committee shall be deemed a city official for the purposes of subsection (c) below.

(4)

Vendor means a person or entity that has entered into or that desires to enter into a contract with the City of Key West or that seeks an award from the city to provide goods, perform a service, render an opinion or advice, or make a recommendation related to a competitive solicitation for compensation or other consideration.

(5)

Vendor's representative means an owner, individual, employee, partner, officer, or member of the board of directors of a vendor, or a consultant, lobbyist, or actual or potential subcontractor or sub-consultant who acts at the behest of a vendor in communicating regarding a competitive solicitation.

(b)

Prohibited communications: A cone of silence shall be in effect during the course of a competitive solicitation and prohibit:

(1)

Any communication regarding a particular competitive solicitation between a potential vendor or vendor's representative and the city's administrative staff including, but not limited to, the city manager and his or her staff;

(2)

Any communication regarding a particular competitive solicitation between a potential vendor or vendor's representative and the mayor, city commissioners, or their respective staff;

(3)

Any communication regarding a particular competitive solicitation between a potential vendor or vendor's representative and any member of a city evaluation and/or selection committee therefore; and

(4)

Any communication regarding a particular competitive solicitation between the mayor, city commissioners, or their respective staff, and a member of a city evaluation and/or selection committee therefore.

(c)

Permitted communications: Notwithstanding the foregoing, nothing contained herein shall prohibit:

(1)

Communication between members of the public who are not vendors or a vendor's representative and any city employee, official or member of the city commission;

(2)

Communications in writing at any time with any city employee, official or member of the city commission, unless specifically prohibited by the applicable competitive solicitation.

(A)

However, any written communication must be filed with the city clerk. Any city employee, official or member of the city commission receiving or making any written communication must immediately file it with the city clerk.

(B)

The city clerk shall include all written communication as part of the agenda item when publishing information related to a particular competitive solicitation;

(3)

Oral communications at duly noticed pre-bid conferences;

(4)

Oral presentations before publically noticed evaluation and/or selection committees;

(5)

Contract discussions during any duly noticed public meeting;

(6)

Public presentations made to the city commission or advisory body thereof during any duly noticed public meeting;

(7)

Contract negotiations with city staff following the award of a competitive solicitation by the city commission; or

(8)

Purchases exempt from the competitive process pursuant to section 2-797 of these Code of Ordinances;

(d)

Procedure.

(1)

The cone of silence shall be imposed upon each competitive solicitation at the time of public notice of such solicitation as provided by section 2-826 of this Code. Public notice of the cone of silence shall be included in the notice of the competitive solicitation. The city manager shall issue a written notice of the release of each competitive solicitation to the affected departments, with a copy thereof to each commission member, and shall include in any public solicitation for goods and services a statement disclosing the requirements of this ordinance.

(2)

The cone of silence shall terminate at the time the city commission or other authorized body makes final award or gives final approval of a contract, rejects all bids or responses to the competitive solicitation, or takes other action which ends the competitive solicitation.

(3)

Any city employee, official or member of the city commission that is approached concerning a competitive solicitation while the cone of silence is in effect shall notify such individual of the prohibitions contained in this section. While the cone of silence is in effect, any city employee, official or member of the city commission who is the recipient of any oral communication by a potential vendor or vendor's representative in violation of this section shall create a written record of the event. The record shall indicate the date of such communication, the persons with whom such communication occurred, and a general summation of the communication.

(e)

Violations/penalties and procedures.

(1)

A sworn complaint alleging a violation of this ordinance may be filed with the city attorney's office. In each such instance, an initial investigation shall be performed to determine the existence of a violation. If a violation is found to exist, the penalties and process shall be as provided in section 1-15 of this Code.

(2)

In addition to the penalties described herein and otherwise provided by law, a violation of this ordinance shall render the competitive solicitation void at the discretion of the city commission.

(3)

Any person who violates a provision of this section shall be prohibited from serving on a City of Key West advisory board, evaluation and/or selection committee.

(4)

In addition to any other penalty provided by law, violation of any provision of this ordinance by a City of Key West employee shall subject said employee to disciplinary action up to and including dismissal.

(5)

If a vendor is determined to have violated the provisions of this section on two more occasions it shall constitute evidence under City Code section 2-834 that the vendor is not properly qualified to carry out the obligations or to complete the work contemplated by any *new* competitive solicitation. The city's purchasing agent shall also commence any available debarment from city work proceeding that may be available upon a finding of two or more violations by a vendor of this section.

(Ord. No. 13-11, § 1, 6-18-2013)

- S«s.2-774-2-795.- Reserved.

Sec. 26-192. - Unreasonably excessive noise prohibited.

- (a) *Prohibition of unreasonably excessive noise.* It shall be unlawful for any person(s), to permit, cause, allow, amplify, create, emit, or sustain unreasonably excessive noise on any property, including air space thereof, located in the City of Key West. Unreasonably excessive noise shall be that noise which exceeds the noise limitations set forth in subsection (b).
- (b) *Noise limitations.*
- (1) Within a core commercial district as defined in this article, the maximum dBA and dBC sound levels permitted on any property located therein shall be as follows:
- The average measurement taken between ten (10) and twenty (20) seconds shall be no greater than the maximum levels set out below. The measurement shall be taken from the sound source property line, or individual lease boundary in the case of property which has been subdivided by the execution of individual leases, of the noise generating property:
- a. Eighty-five (85) dBA or ninety-four (94) dBC between the hours of 11:00 a.m. and 2:59 a.m.
- b. Seventy-five (75) dBA or eighty-four (84) dBC between the hours of 3:00 a.m. and 10:59 a.m.
- (2) In any residential or commercial district as defined in this article, a decibel meter shall be used for a complaint of unreasonable noise made at or within 100 feet of the property line of the sound source. The decibel reading shall be made at the location of the complaint. The investigating officer shall issue a citation for unreasonably excessive noise, unless in his judgment a warning is sufficient to cease the violation. There shall be no more than a total of one warning per offending person or establishment.
- (3) A complaint of disturbing noise may be made when the location of the complaint is beyond 100 feet of the property line of a commercial district property sound source. Additionally, a complaint of disturbing noise may be made when the location of the complaint is a residential property and the location of the sound source is a residential property at any distance from each other. A decibel meter measurement is not required to determine disturbing noise. The investigating officer shall issue a citation if the complainant suffers disturbing noise within the boundaries of his property. The investigating officer may issue a warning if in his judgment a warning is sufficient to cease the violation. There shall be no more than a total of one warning per offending person or establishment in any six (6) month period.
- (4) If a complaint arises of unreasonably excessive noise emanating from a multistory structure, the determination of whether such sound constitutes unreasonably excessive noise shall be made from a story height equal to that of the sound source or from the nearest accessible point on the ground floor.

(Code 1986, § 55.02(a); Ord. No. 14-06, § 4, 4-22-2014)

Sec. 26-193. - Exceptions.

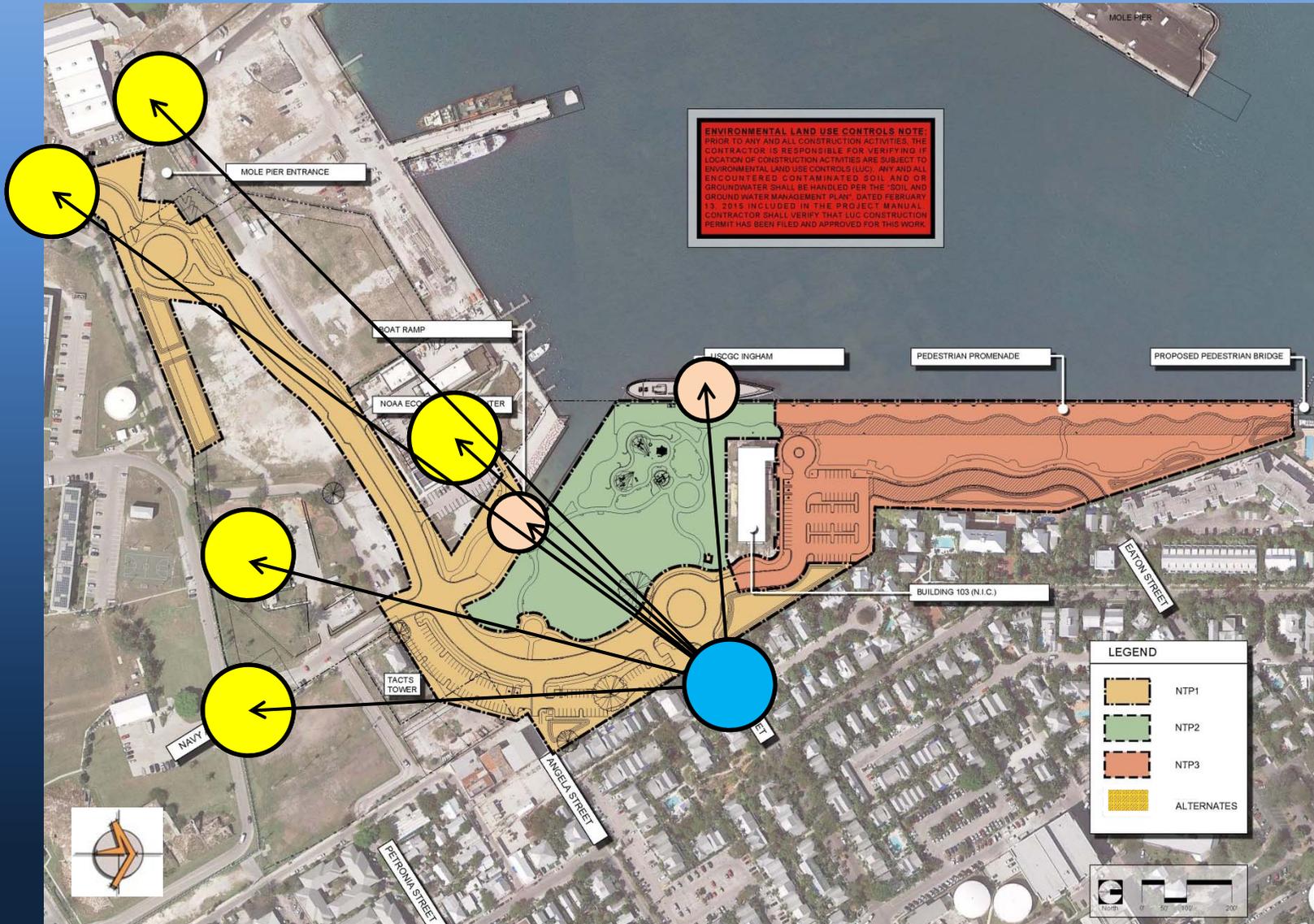
The prohibitions contained in this article shall not apply to the following:

- (1) Emergencies. The emission of sound for the purpose of alerting persons to the existence of an emergency or emergency vehicle or to the performance of emergency work.
- (2) Church bells and chimes.
- (3) Construction/demolition. Sound levels produced from tools and equipment in commercial construction, demolition, drilling, or reasonably similar activities. However, such sound levels are limited to the hours of 8:00 a.m. to 7:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. The tools and equipment must be muffled and maintained equal to the functional standards of the industry. No exceptions contained in this subsection shall apply on Thanksgiving Day, Christmas Day and New Year's Day.

- (4) Domestic power tools. Sound levels produced from any hand-powered or mechanically powered saw, sander, drill, grinder, lawn/garden tool or reasonably similar tools. However, to be lawful, sound producing the use must conform to industry standards for the equipment and must occur only between 8:00 a.m. and 7:00 p.m., Monday through Friday, and 9:00 a.m. and 5:00 p.m. on Saturday and Sunday only.
- (5) Public events. Sound levels from public events and celebrations sponsored by the city or approved by resolution of the city commission, but only during the hours designated by the resolution.
- (6) Government radio transmissions. Sound levels from equipment used by police, fire, and other city department radio or emergency equipment, and from similar equipment used by other government agencies in performance of official duties.
- (7) Public address systems. Sound levels from public address broadcast systems used in public stadiums, ballfields, parks and schoolyards.
- (8) Sunset celebration. Sound levels produced by performers engaged in activities sponsored by the city's lessee at Mallory Square Dock during sunset celebration.
- (9) Industrial equipment. Noise levels for industrial equipment, including, but not limited to, air conditioners, generators, and pool pumps, must be set to reasonable industry standards for properly maintained equipment.
- (10) Sound created by safety and protective devices, emergency equipment, including, but not limited to, emergency standby or backup equipment, necessary in the interests of the health, safety and welfare of the community.

(Code 1986, § 55.03; Ord. No. 12-30. § 1, 9-18-2012; Ord. No. 14-06, § 5, 4-22-2014)

Maintenance of Traffic





Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Secretary

August 26, 2015

Mr. David Barney
BRAC Environmental Coordinator
Naval Facilities Engineering Command
BRAC Program Management Office East
571 Shea Memorial Drive
South Weymouth, MA 02190
Official Government Business

**Re: City-Owned Former Defense Reutilization and Marketing Office Property
Demonstration of Remediation Completion and Proposal for Removal of Deed
Restrictions Truman Annex, Naval Air Station Key West, Key West Florida.
Contract No. N62470-12-D-7004, Task Order No. JM20**

Dear Mr. Barney:

The Department has reviewed the subject document, dated March 2015 (received April 23, 2015) prepared by AGVIQ LLC (AGVIQ) for Naval Air Station Key West, Key West, Florida. The document describes the investigation and remedial activities completed at the portion of the former Defense Reutilization and Marketing Office (DRMO) property currently owned by the City of Key West. The remediation activities have resulted in cleanup of this property. Laboratory analysis of soil and groundwater confirmation samples has shown that no contaminants of concern were detected above Soil Cleanup Target Levels (SCTLs) for residential direct exposure or Groundwater Cleanup Target Levels (GCTLs). The report is suitable for its intent and approved as final.

In accordance with Chapter 62-780.680(1) of the Florida Administrative Code (F.A.C.), the requirements for no further action without conditions have been met for the City-owned portion of Parcel C, also known as the former DRMO property. The attached figure provides a map of Parcel C and a legal description for the City owned portion of the property. The Navy continues to pursue remedial action on the portions of the

Mr. Owens
August 26, 2015
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original DRMO property that are currently under Navy ownership. These parcels are referred to as the DRMO slivers or the North and South slivers and are shown on the attached figure.

The Department concurs with Naval Air Station Key West's request to remove the deed restrictions for the City-owned portion of the former DRMO property, as that property is described by the legal description on the attached map. It is the Department's understanding that a Site Rehabilitation Completion Report (SRCR) will be submitted when remediation is completed at the North and South DRMO Slivers.

If you have further questions regarding this letter, please contact Tracie Vaught at 2600 Blair Stone Road, Mail Station 4535, Tallahassee, Florida 32399-2400, telephone number (850) 245-8998, or e-mail at Tracie.Vaught@dep.state.fl.us.

Sincerely,

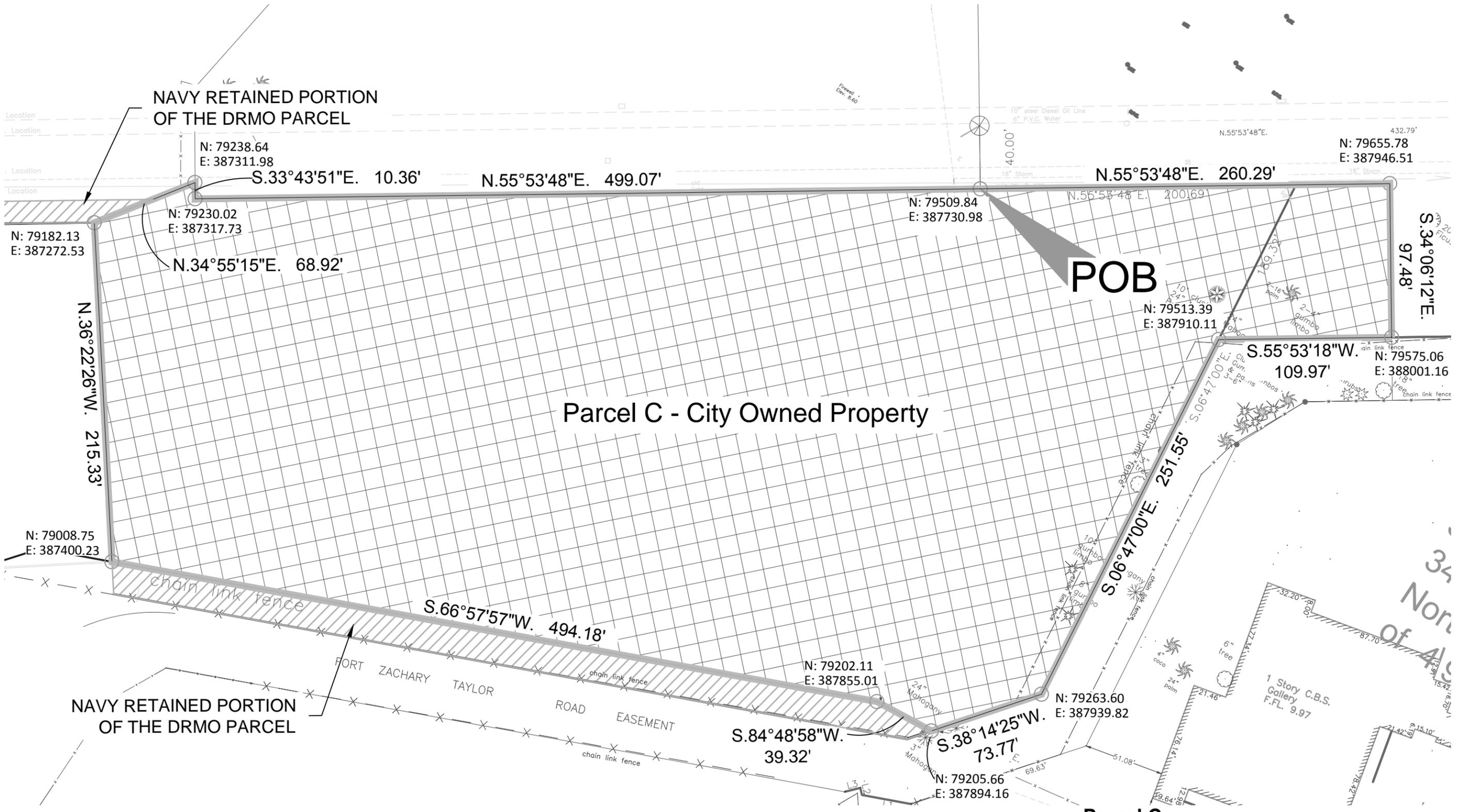


Peter Cornais, Program Administrator
Waste Cleanup Program
Division of Waste Management

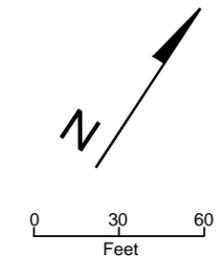
PC/tlv

Attachment

cc: James Bouquet, City of Key West, Key West, Florida



TRUMAN ANNEX - Parcel C
 NAS Key West
 Key West, Florida
 August 13, 2015



LEGAL DESCRIPTION
 Commencing from Point of Beginning; Then North 55° 53' 48" East a distance of 260.29'; then South 34° 06' 12" East 97.48'; then South 55° 53' 18" West 109.97'; then South 06° 47' 00" East 251.55'; then South 38° 14' 25" West 73.77'; then South 84° 48' 58" West 39.32'; then South 66° 57' 57" West 494.18'; then North 36° 22' 26" West 215.33'; then North 34° 55' 15" East 68.92'; then South 33° 43' 51" East 10.36'; then North 55° 53' 48" East 499.07' to the Point of Beginning; an area of 4.704 Acres.



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson

August 14, 2015

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Commanding Officer
Naval Facilities Engineering Command
BRAC Program Management Office East
4911 South Broad Street
Building 679
Philadelphia, Pennsylvania 19112

In care of:

David Barney
BRAC Environmental Coordinator
Naval Facilities Engineering Command
BRAC Program Management Office East
571 Shea Memorial Drive
South Weymouth, Massachusetts 02190

Subject: **Conditional Site Rehabilitation Completion Order (SRCO)**
City-Owned Portion of Parcel K
Naval Air Station Key West
Key West, Florida, Monroe County

Dear Mr. Barney:

The Waste Cleanup Program has reviewed the Final Site Rehabilitation Completion Report (SRCR) for the City-Owned Portion of Parcel K (Parcel K), Naval Air Station Key West (N.A.S. Key West) dated April 2014 (received April 14, 2014), submitted by CH2MHILL Construction Incorporated (CH2MHILL). Maps showing the location of the Parcel K site for which this Order is being issued are attached as Exhibits 1 and 2 and are incorporated by reference herein.

The Parcel K site was used as a storage facility for new and used military equipment, from 1823 to 1970. The fuels, oil and metal stored at the site were considered potential sources of soil contamination. Since an initial site inspection conducted in 1998, the property has undergone numerous assessments. The contaminants of concern (COCs) that exceeded the soil cleanup target levels (SCTLs) were polychlorinated biphenyls (PCBs), polycyclic aromatic hydrocarbons (PAHs) and lead. The property was transferred to the City of Key West in November 2002 with land use controls restricting the property to commercial/industrial use. Since the transfer of this property, the City of Key West has been in the planning stages of converting Parcel K and other Navy BRAC parcels at the Truman Annex into a recreational park. Due to the change in land use, the Navy calculated alternative cleanup target levels (ACTLs) using the 95% Upper Confidence Limit (UCL) method and conducted a soil removal in accordance with Chapter 62-780.680(1)1.a., Florida Administrative Code (F.A.C.). The ACTLs were used to remediate the surface and subsurface soils to meet recreational criteria for Parcel K. Exhibit 3 presents figures that illustrate the removal actions for each soil strata, as well as soil sampling results tables.

Lead was the only COC that exceeded a Florida leachability to groundwater cleanup target level. A monitoring well was installed in the area with the highest lead concentration in soil (32,000 mg/kg). The groundwater sample collected from that well had a lead concentration below both the groundwater cleanup target level (GCTL) of 15 µg/l and the Freshwater Surface Water Criteria of 8.5 µg/l. The SRCR is supported by earlier submittals, prepared pursuant to 62-780 (F.A.C), which can be found in the Department's document repository at <http://depedms.dep.state.fl.us/Oculus/servlet/login>.

Based on the documentation submitted with the SRCR and other submitted documents, the Department has reasonable assurance that the Navy has met the criteria in Chapter 62-780, F.A.C., including the commitments set forth in the technical submittals with respect to the implementation and recordation of the institutional controls. The technical submittals indicate ACTLs have been established for soil contaminants remaining at the above referenced contaminated site in conjunction with appropriate institutional controls. Therefore, you have satisfied the site rehabilitation requirements for the above-referenced contaminated site and are released from any further obligation to conduct site rehabilitation at the contaminated site, except as set forth below. Exhibit 3, includes information regarding the contaminants, affected media, and the ACTLs established for the contaminated site that is the subject of this Order. The enclosed Release and Modification of Deed Restrictions Parcel K, (Exhibit 4), incorporated by reference herein, provides the legal description for Parcel K, describes the restriction (use is limited to recreation) and provides a land use control implementation plan for future maintenance of the parcel.

Failure to meet the following requirements will result in the revocation of this Order:

- (a) You are required to properly plug and abandon all monitoring wells, injection wells, extraction wells, and sparge wells unless these wells are otherwise required for compliance with a local ordinance or another cleanup within 60 days of receipt of this Order. The monitoring wells must be plugged and abandoned in accordance

with the requirements of Rule 62-532.500(5), F.A.C. A Well Plugging Report shall be submitted within 30 days of well plugging;

- (b) Any current or future real property owner of the above referenced contaminated site must comply with the provisions contained within the Declaration of Restrictive Covenant (attached) recorded prior to the execution of this Order.
- (c) If the current or future real property owner of the above-referenced contaminated site proposes to remove the institutional controls, the real property owner shall obtain prior written approval from the Department. The removal of the controls shall be accompanied by the immediate resumption of site rehabilitation or implementation of other approved controls, unless it is documented to the Department that the criteria of subsection 62-780.680(1), F.A.C., are met.

Further, in accordance with Chapter 376.30701(4), Florida Statutes (F.S.), upon completion of site rehabilitation, additional site rehabilitation is not required unless it is demonstrated that:

- (a) Fraud was committed in demonstrating site conditions or completion of site rehabilitation;
- (b) New information confirms the existence of an area of previously unknown contamination which exceeds the site-specific rehabilitation levels established in accordance with Section 376.30701(2), F.S., or which otherwise poses the threat of real and substantial harm to public health, safety, or the environment;
- (c) The level of risk is increased beyond the acceptable risk established under Section 376.30701(2), F.S., due to substantial changes in exposure conditions, such as a change in land use from nonresidential to residential use. Any person who changes the land use of the site, thereby causing the level of risk to increase beyond the acceptable risk level, may be required by the department to undertake additional remediation measures to ensure that human health, public safety, and the environment are protected consistent with Section 376.30701, F.S.; or
- (d) A new discharge of pollutants or hazardous substances occurs at the site subsequent to the issuance of this Order.

Legal Issues

The Department's Order shall become final unless a timely petition for an administrative hearing is filed under sections 120.569 and 120.57, F.S., within **21** days of receipt of this Order. The procedures for petitioning for a hearing are set forth below.

Persons affected by this Order have the following options:

A. If you choose to accept the Department's decision regarding this Conditional SRCO, you do not have to do anything. This Order is final and effective on the date filed with the Clerk of the Department, which is indicated on the last page of this Order.

B. If you choose to challenge the decision, you may do the following:

1. File a request for an extension of time to file a petition for hearing with the Department's Agency Clerk in the Office of General Counsel within **21** days of receipt of this Order. Such a request should be made if you wish to meet with the Department in an attempt to informally resolve any disputes without first filing a petition for hearing; or

2. File a petition for administrative hearing with the Department's Agency Clerk in the Office of General Counsel within **21** days of receipt of this Order.

Please be advised that mediation of this decision pursuant to section 120.573, F.S., is not available.

How to Request an Extension of Time to File a Petition for Hearing

For good cause shown, pursuant to Rule 62-110.106(4), F.A.C., the Department may grant a request for an extension of time to file a petition for hearing. Such a request must be filed (received) by the Agency Clerk in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000, within **21** days of receipt of this Order. Petitioner, if different from the Mr. David Barney, Navy Base Closure and receipt of this Order, shall mail a copy of the request to the Mr. David Barney, Navy Base Closure and receipt of this Order at the time of filing. Timely filing a request for an extension of time tolls the time period within which a petition for administrative hearing must be made.

How to File a Petition for Administrative Hearing

A person whose substantial interests are affected by this Order may petition for an administrative hearing under sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) by the Agency Clerk in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida, 32399-3000, within **21** days of receipt of this Order. Petitioner, if different from the Mr. David Barney, Navy Base Closure and receipt of this Order, shall mail a copy of the petition to the Mr. David Barney, Navy Base Closure and receipt of this Order at the time of filing. Failure to file a petition within this time period shall waive the right of anyone who may request an administrative hearing under sections 120.569 and 120.57, F.S.

Pursuant to subsection 120.569(2), F.S., and Rule 28-106.201, F.A.C., a petition for administrative hearing shall contain the following information:

- a) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any; the site owner's name and address, if different from the petitioner; the DEP facility number; and the name and address of the facility;
- b) A statement of when and how each petitioner received notice of the Department's action or proposed action;
- c) An explanation of how each petitioner's substantial interests are or will be affected by the Department's action or proposed action;
- d) A statement of the disputed issues of material fact, or a statement that there are no disputed facts;
- e) A statement of the ultimate facts alleged, including a statement of the specific facts the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the Department's action or proposed action; and
- g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Department's action or proposed action.

This Order is final and effective on the date filed with the Clerk of the Department, which is indicated on the last page of this Order. Timely filing a petition for administrative hearing postpones the date this Order takes effect until the Department issues either a final order pursuant to an administrative hearing or an Order Responding to Supplemental Information provided to the Department pursuant to meetings with the Department.

Judicial Review

Any party to this Order has the right to seek judicial review of it under section 120.68, F.S., by filing a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the Agency Clerk of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, 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 days after this order is filed with the clerk of the Department (see below).

Questions

Any questions regarding the Department's review of your City-Owned Portion of Parcel K should be directed to Tracie Vaught at Bob Martinez Center, 2900 Blair Stone Road, (850)245-8998, and tracie.vaught@dep.state.fl.us. Questions regarding legal issues should be referred to the Department's Office of General Counsel at (850)245-2242. Contact with any of the above

EXHIBIT 1

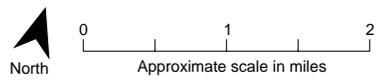
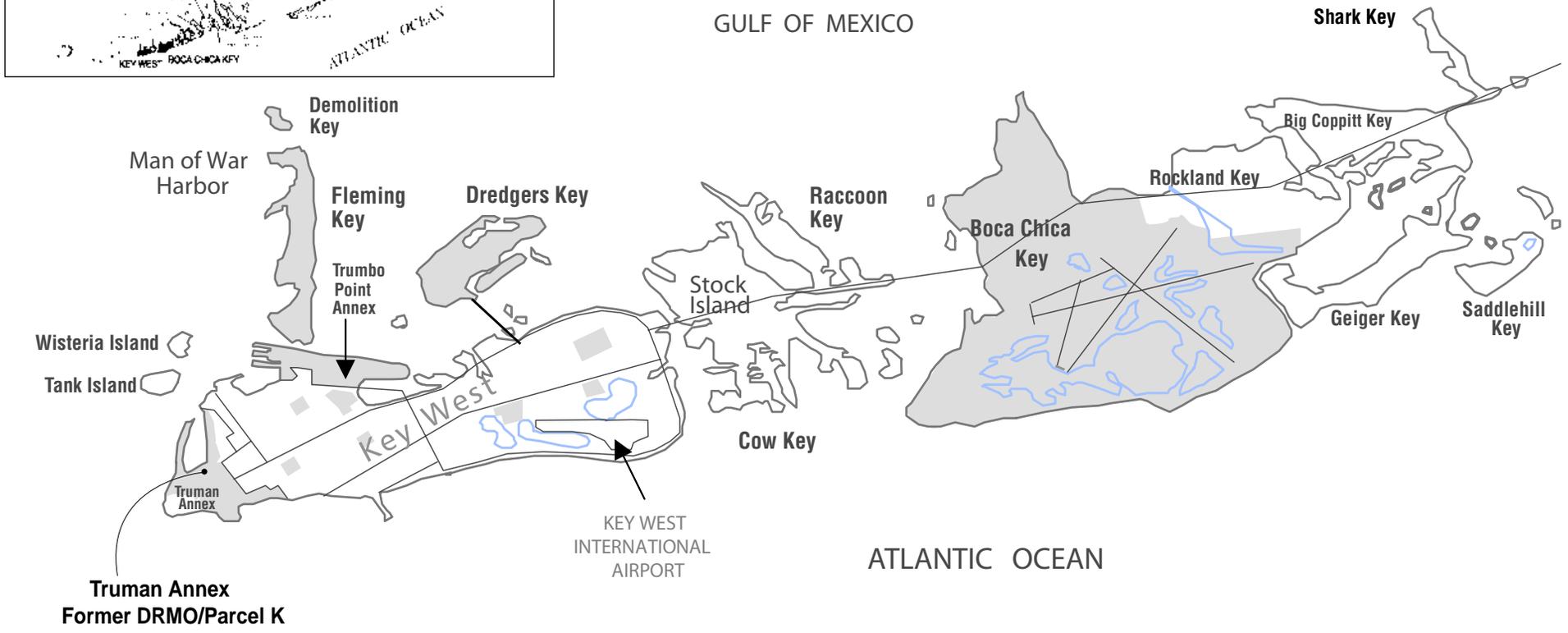
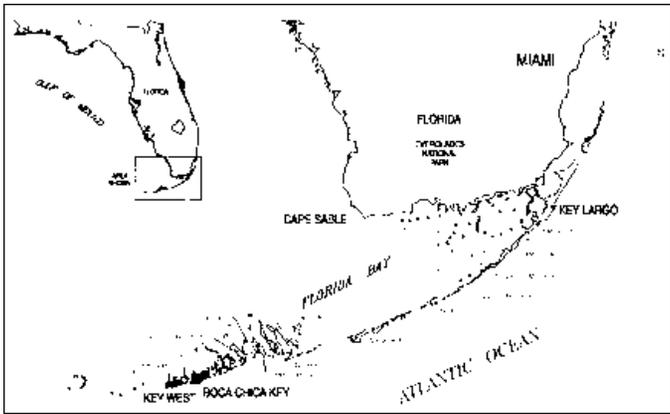
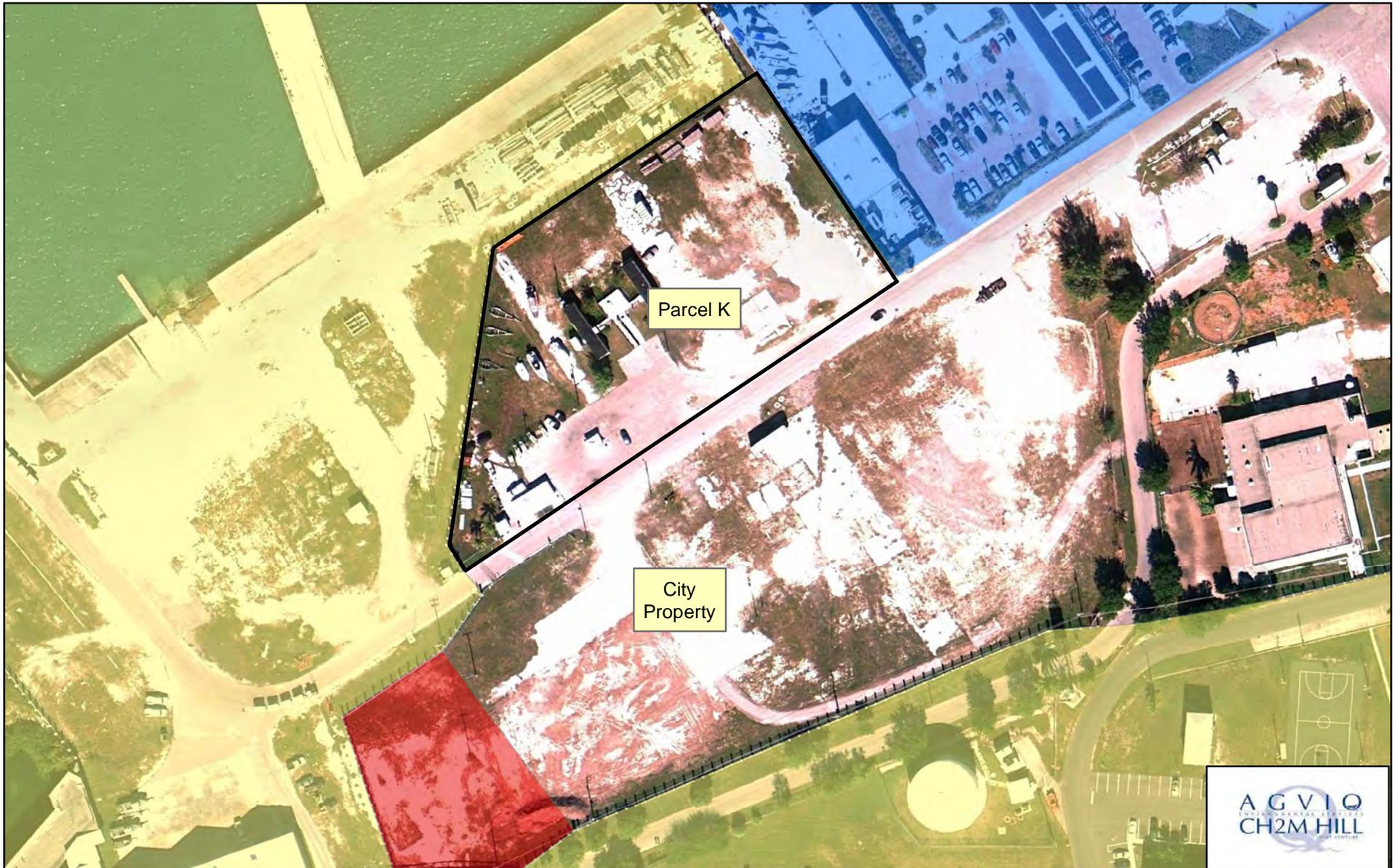


EXHIBIT 1

FIGURE 1-1
 Site Location Map
 Parcel K - Truman Annex
 NAS Key West
 Key West, Florida

EXHIBIT 2



- Legend
- Navy Property (approx.)
 - State Park Property (approx.)
 - NOAA Property (approx.)

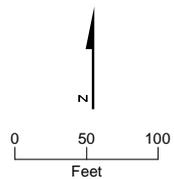
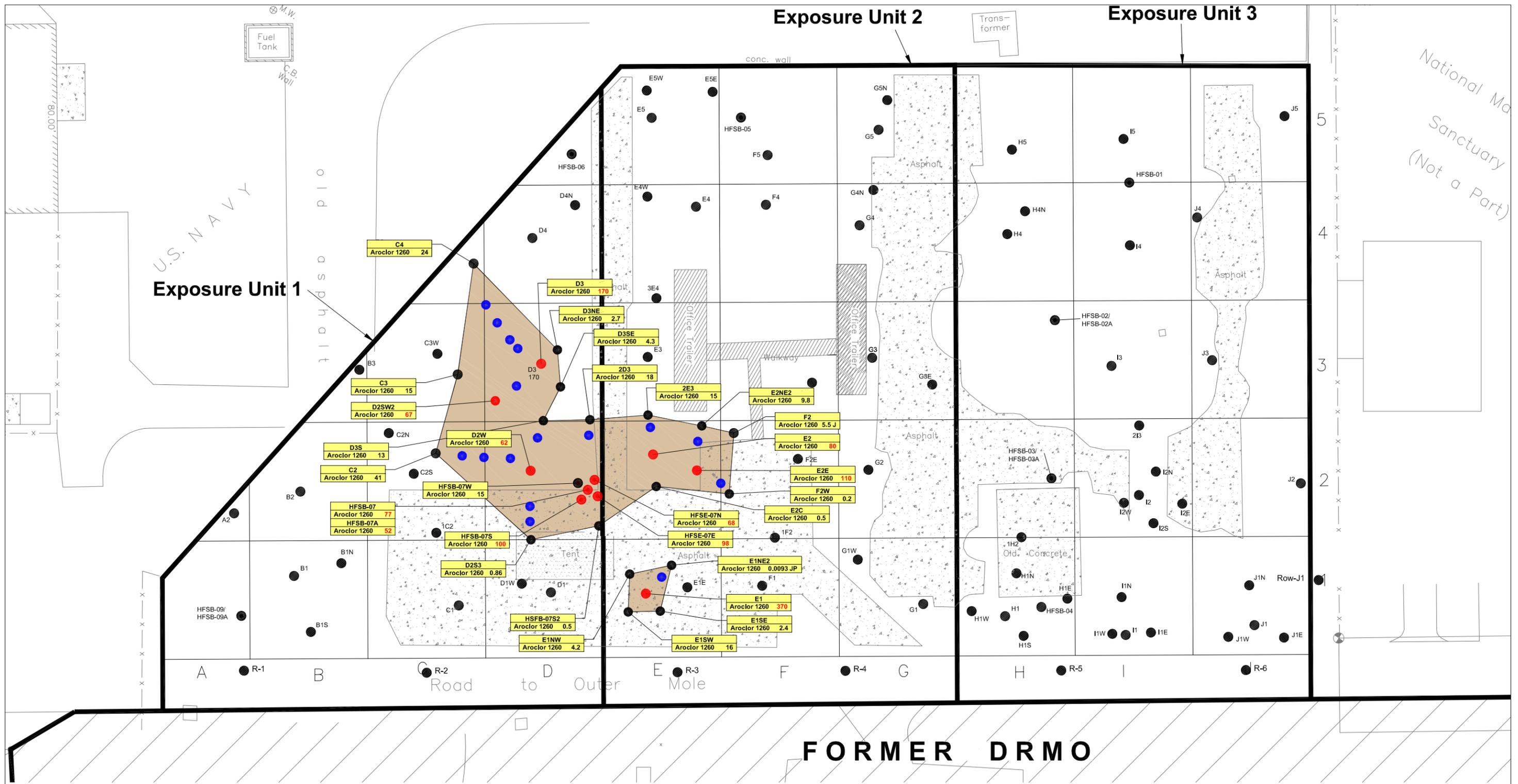


EXHIBIT 2

Figure 1-2
 Site Layout Map
 Parcel K - Truman Annex
 NAS Key West
 Key West, Florida

EXHIBIT 3



Legend

- Sample Not Removed
- Sample Removed
- PCB Field Analysis > 50 mg/kg
- PCB > 50 mg/kg Area Excavated
Area = 6,553 ft²
Volume = 3,277 ft³ / 121 yd³
Estimated Tonnage = 170 tons

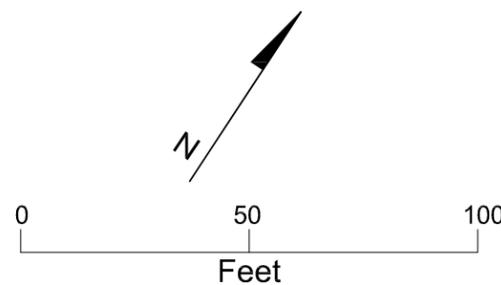
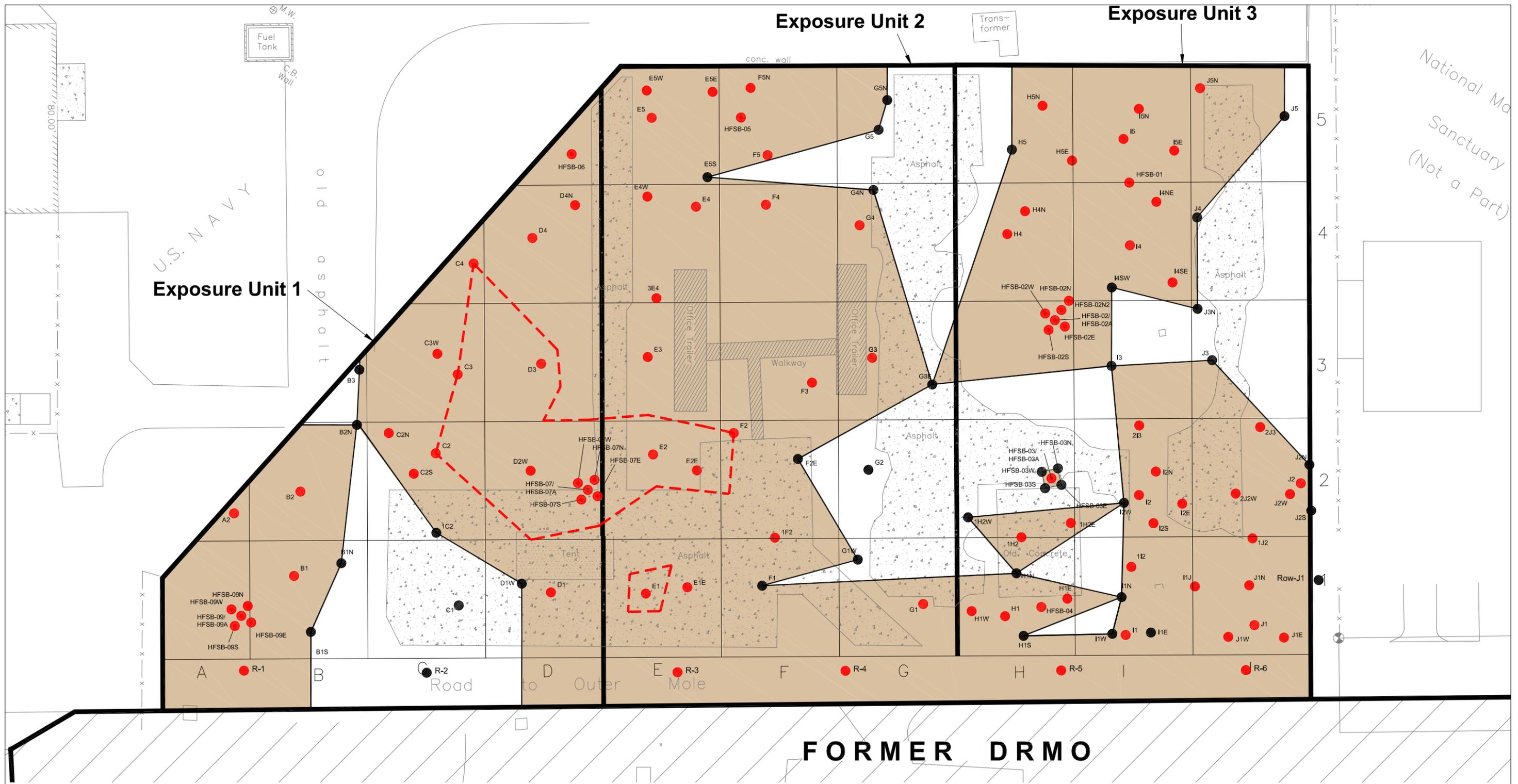


EXHIBIT 3

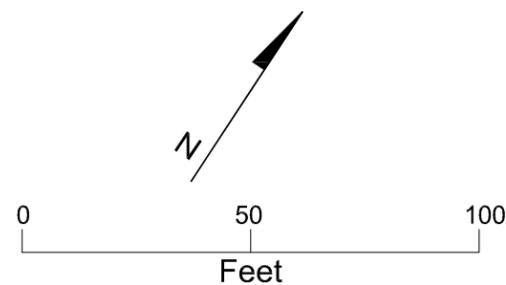
FIGURE 1-4
Recreational Excavation Boundary for
PCB > 50 mg/kg 0 - 0.5 ft bls
 Parcel K - Truman Annex
 NAS Key West
 Key West, Florida





Legend

- Sample Not Removed
 - Sample Removed
 - - - PCB > 50 mg/kg Area Excavated
 - Area Excavated
- Total Area = 81,643 ft²
 Total Volume = 40,822 ft³ / 1,512 yd³
 Estimated Tonnage = 2,117 tons



Recreational Soil Cleanup Target Level (mg/kg)

	3X RSCTL	RSCTL
Lead	1,200	400
PCB	3.87	1.29
BEQ	1.05	0.35

Samples also compared to FDEP Leachability Based on Groundwater Criteria SCTL (Chapter 62-777 F.A.C.)

EXHIBIT 3

FIGURE 1-5
Recreational Excavation Boundary for Lead, PCBs and PAHs 0 - 0.5 ft bls
 Parcel K - Truman Annex
 NAS Key West
 Key West, Florida



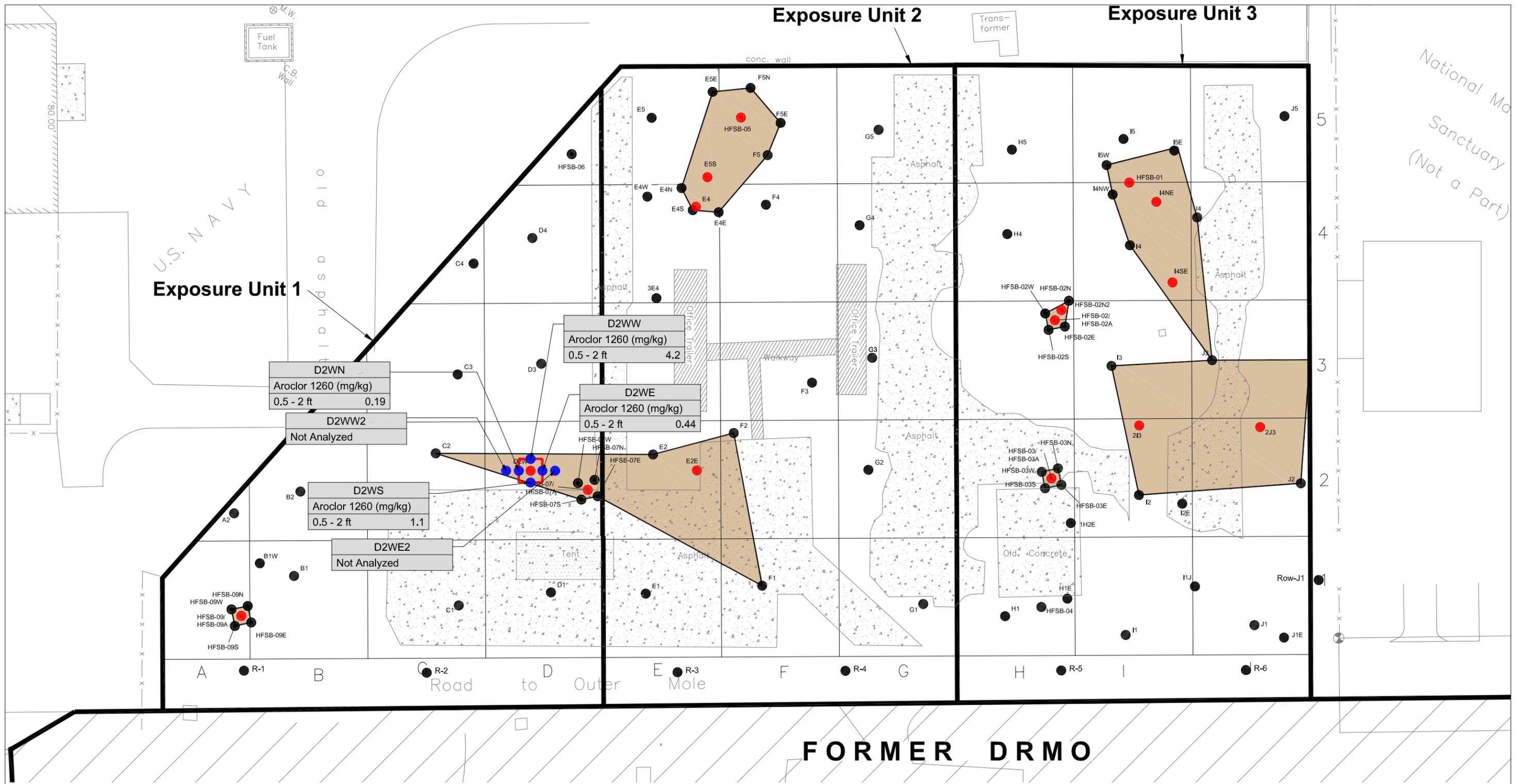
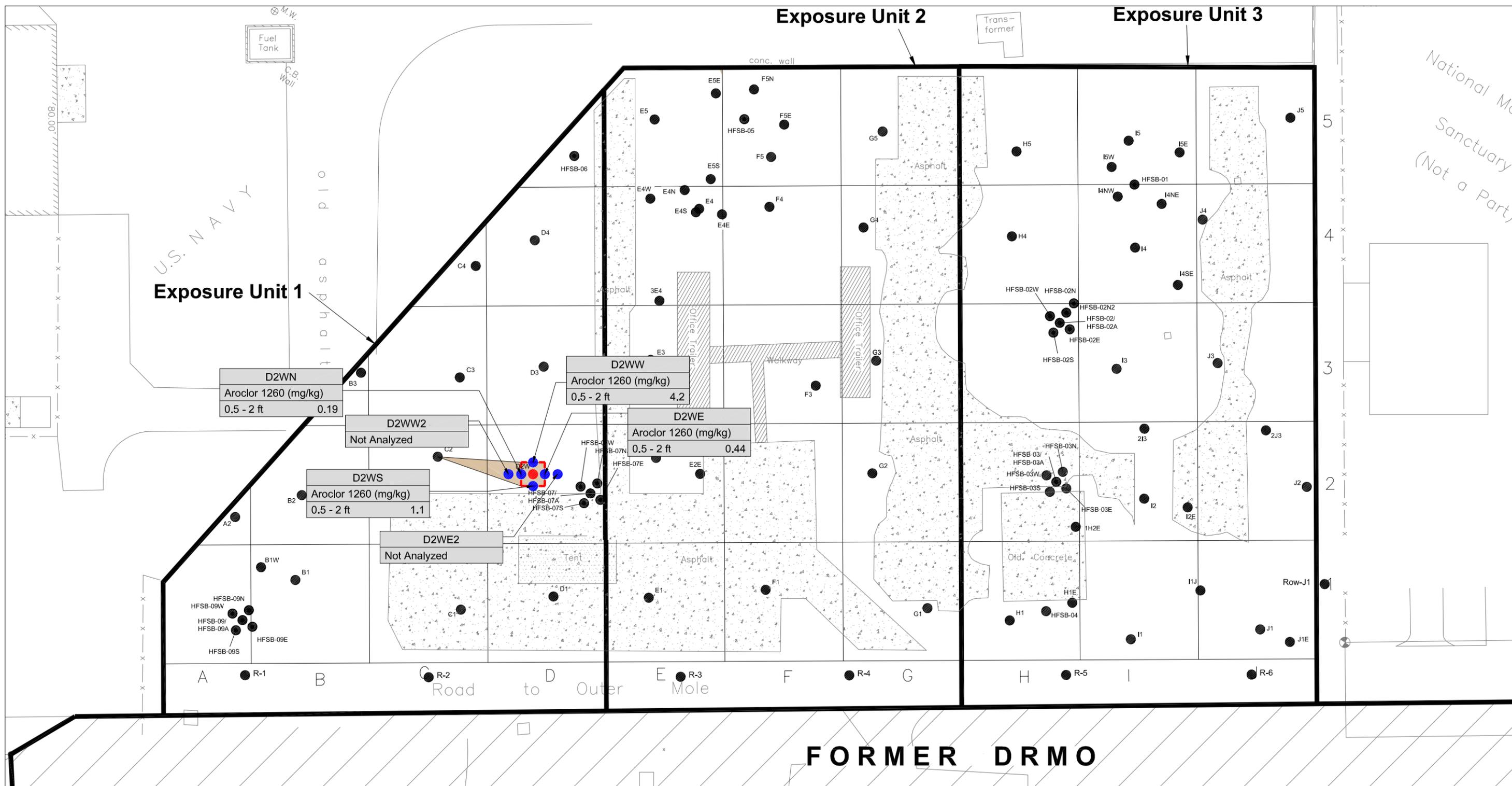


EXHIBIT 3
FIGURE 2-1
Recreational Excavation Boundary for Lead, PCBs and PAHs and Soil Confirmation Samples 0.5 - 2 feet bls
 Parcel K - Truman Annex
 NAS Key West
 Key West, Florida

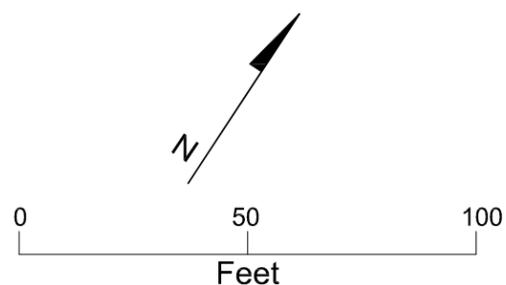


\\Cypress\proj\environmental\Drawings\NASKeyWest\Figure2-1 Soil Confirmation Sampling 0.5-2ft.dwg
 13-April-2015



Legend

- Sample Not Removed
 - Sample Removed
 - Confirmation Sample Location
 - - - PCB > 50 mg/kg Area Excavated
 - Area Excavated
- Total Area = 10,770 ft²
 Total Volume = 16,155 ft³ / 598 yd³
 Estimated Tonnage = 838 tons



Recreational Soil Cleanup Target Level (mg/kg)

	3X RSCTL	RSCTL
Lead	1,200	400
PCB	3.87	1.29
BEQ	1.05	0.35

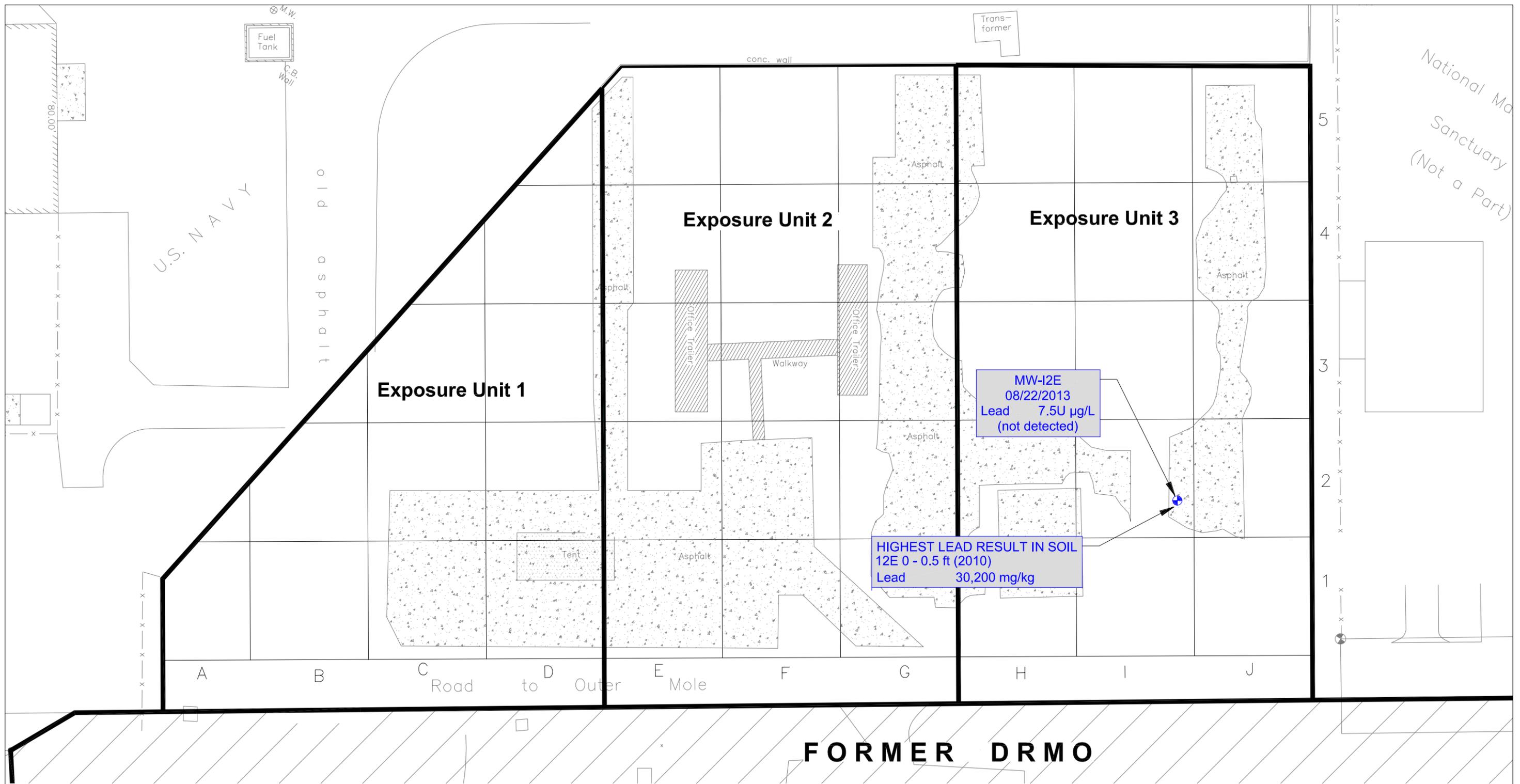
Samples also compared to FDEP Leachability Based on Groundwater Criteria SCTL (Chapter 62-777 F.A.C.)

EXHIBIT 3

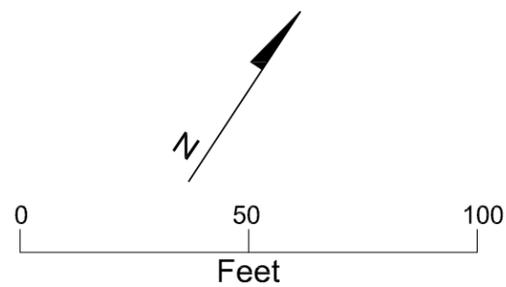
**FIGURE 2-2
Recreational Excavation Boundary for
PCBs and Soil Confirmation Sampling
2 - 4 ft bls**

Parcel K - Truman Annex
 NAS Key West
 Key West, Florida





Legend
 Monitoring Well Location



Lead Cleanup Target Levels (µg/L)

Groundwater	15
Marine Surface Water	8.5

EXHIBIT 3

**FIGURE 2-3
 Groundwater Sampling**

Parcel K - Truman Annex
 NAS Key West
 Key West, Florida



TABLE A-2
Parcel K SPLP Soil Sampling

Location	09/09A
Sample ID	HF58-09/09A-000_5
Sample Depth (ft)	0 - 0.5
Sample Date	12/14/2010
Analyte	Units
SW8270S1M (UG/L)	
1-Methylnaphthalene	UG/L 0.11 U
2-Methylnaphthalene	UG/L 0.11 U
Acenaphthene	UG/L 0.05 J
Acenaphthylene	UG/L 0.11 U
Anthracene	UG/L 0.11 U
Benzol(a)anthracene	UG/L 0.11 U
Benzol(a)pyrene	UG/L 0.11 U
Benzol(b)fluoranthene	UG/L 0.11 U
Benzol(g,h,i)perylene	UG/L 0.11 U
Benzol(k)fluoranthene	UG/L 0.11 U
Chrysene	UG/L 0.11 U
Dibenz(a,h)anthracene	UG/L 0.11 U
Fluoranthene	UG/L 0.074 J
Fluorene	UG/L 0.11 U
Indeno(1,2,3-cd)pyrene	UG/L 0.11 U
Naphthalene	UG/L 0.11 U
Phenanthrene	UG/L 0.12
Pyrene	UG/L 0.057 J

Notes:

- NA Not analyzed
- J The analyte was positively identified: the associated numerical value is the approximate concentration of the analyte in the sample.
- U The analyte was analyzed for, but was not detected above the reported sample quantitation limit.
- ug/L Micrograms per Liter
- Bold indicates the analyte was detected**

TABLE A-3
Parcel K Groundwater Sampling

Location	HFSB-12E-GW	HFSB-X1-GW	HFSB-X1-GW
Sample ID	HFSB-12E-GW	HFSB-X1-GW	JM22-FD1-GW-121510
Sample Date	12/15/2010	12/15/2010	12/15/2010
Analyte	Units	GCTL ¹	
SW60108 (UG/L)			
Lead	UG/L	15	59.2 J
		15 U	
			15 U

Notes:

NA. Not analyzed

GCTL - Groundwater Cleanup Target Level

¹ = Ch 62-777 FAC: Groundwater Cleanup Target Levels (GCTLs) reported in ug/L

J The analyte was positively identified: the associated numerical value is the approximate concentration of the analyte in the sample.

U The analyte was analyzed for, but was not detected above the reported sample quantitation limit.

ug/L Micrograms per Liter

Shading indicates the analyte exceeded GCTL¹

TABLE A-4
Leachability to Groundwater

Location	Sample ID	Sample Depth (ft)	Sample Date	Analyte	Units	SCTL _{LEACH}	SCTL _{15/90}	HFSB-01 HFSB-01-6-24 0.5 - 2 4/1/2009	HFSB-05 HFSB-05-6-24 0.5 - 2 4/1/2009	HFSB-09 HFSB-09-6-24 0.5 - 2 4/1/2009	DAN HFSB-DAN000.5 0 - 0.5 7/8/2010	E55 HFSB-E550.502 0.5 - 2 7/8/2010	H5N HFSB-H5N000.5 0 - 0.5 7/9/2010	HFSB-213-0.502 HFSB-213-0.502 0.5 - 2 12/15/2010	213 HFSB-213-0204 2 - 4 12/15/2010	HFSB-213-0406 HFSB-213-0406 4 - 6 12/15/2010	14 HFSB-14-000.5 0 - 0.5 11/3/2009	14NE HFSB-14NE0.502 0.5 - 2 7/9/2010		
	PAH (MG/KG)																			
	Benzol(a)anthracene	MG/KG	0.8	8				0.92	0.82	1.2	1	1	0.99	1	1.2	0.004 J	1.1		1.2	
	Benzol(b)pyrene	MG/KG	8	80				0.97	0.79	1.1	0.81	0.86	0.79	1.1	0.62	0.0054 J	0.94		0.81	
	Benzol(k)fluoranthene	MG/KG	2.4	24				1.4	1.2	1.6	1.3	1.5	1.4	1.3	0.8	0.0067 J	1.7		1.4	
	Benzol(k)fluoranthene	MG/KG	24	240				0.6	0.4	0.46	0.46	0.53	0.5	0.54	0.34	0.0035 J	0.53 J		0.34	
	Chrysene	MG/KG	7.7	770				1	0.8	1.2	0.94	0.99	0.88	0.74	0.97	0.0052 J	1.2		1.1	
	Dibenz(a,h)anthracene	MG/KG	0.7	7				0.013 U	0.013 U	0.013 U	0.1	0.11	0.19	0.19	0.35 U	0.0084 U	0.16		0.12	
	Indenol(1,2,3-cd)pyrene	MG/KG	6.6	66				0.77	0.56	0.82	0.32	0.36	0.56	0.65	0.25	0.0043 J	0.58 J		0.39	
	SW6010B (MG/KG)																			
	Lead	MG/KG	--	--																
	SW8082 (MG/KG)																			
	Aroclor-1016	MG/KG	17	170				0.012 U	0.059 U	0.012 U	0.2 U	NA	NA	NA	NA	NA	0.025 U		NA	
	Aroclor-1221	MG/KG	17	170				0.012 U	0.059 U	0.012 U	0.2 U	NA	NA	NA	NA	NA	0.025 U		NA	
	Aroclor-1232	MG/KG	17	170				0.0086 U	0.042 U	0.0084 U	0.39 U	NA	NA	NA	NA	NA	0.049 U		NA	
	Aroclor-1242	MG/KG	17	170				0.006 U	0.029 U	0.0058 U	0.2 U	NA	NA	NA	NA	NA	0.025 U		NA	
	Aroclor-1248	MG/KG	17	170				0.0076 U	0.037 U	0.0074 U	0.22 U	NA	NA	NA	NA	NA	0.027 U		NA	
	Aroclor-1254	MG/KG	17	170				0.0061 U	0.030 U	0.0059 U	0.2 U	NA	NA	NA	NA	NA	0.025 U		NA	
	Aroclor-1260	MG/KG	17	170				0.054	1.5	0.0059 U	3.8	NA	NA	NA	NA	NA	0.12 B		NA	
	Aroclor-1262	MG/KG	17	170				NA	NA	NA	NA	NA	NA	NA	NA	NA	NA		NA	
	Aroclor-1268	MG/KG	17	170				NA	NA	NA	NA	NA	NA	NA	NA	NA	NA		NA	
	Marked for Removal							YES	YES	YES	YES	YES	YES	YES	NO	NO	NO	YES	YES	

Notes:

NA Not analyzed

B The analyte was detected in the associated method and/or calibration blank.

J The analyte was positively identified; the associated numerical value is the approximate concentration of the analyte in the sample.

U The analyte was analyzed for, but was not detected above the reported sample quantitation limit.

mg/kg Milligrams per Kilogram

Values Bolded and Shaded Pale Blue are analytes not detected by the Lab but are above both SCTL_{LEACH} and SCTL_{REC}

Values Bold and shaded Yellow exceed the SCTL_{LEACH}

1 Ch 62-777 F.A.C. Soil Cleanup Target Level (SCTLs) reported in mg/kg

SCTL_{UACH} - Soil Cleanup Target Level Leachability to Groundwater

SCTL_{REC} - Soil Cleanup Target Level Leachability based on Low Yield/Poor Quality

- = Not Available at time of rule adoption/ limit does not apply

Shading with "YES" indicates sample will be removed

TABLE A.5
Parcel K Soil PCB Soil Sampling 2011

Location	Sample ID	Sample Depth (ft)	Sample Date	Units	203		2E3		D2S3		D3NE		D3S		D3SE		D3SW2		E1NE2	
					JM22-203-000.5 0 - 0.5 4/21/2011	JM22-2E3-000.5 0 - 0.5 4/21/2011	JM22-1D2 0 - 0.5 4/21/2011	JM22-D2S3-000.5 0 - 0.5 4/25/2011	JM22-D3NE-000.5 0 - 0.5 4/22/2011	JM22-D3S-000.5 0 - 0.5 4/25/2011	JM22-D3SE-000.5 0 - 0.5 4/22/2011	JM22-D3SW2-000.5 0 - 0.5 4/22/2011	JM22-E1NE2-000.5 0 - 0.5 4/20/2011	JM22-F01 0 - 0.5 4/20/2011						
5W8082 (MG/KG)																				
Arcochlor-1016	MG/KG	2.6	1.29	0.03 U	0.032 U	0.032 U	0.033 U	0.03 U	0.03 U	0.03 U	0.03 U	0.03 U	0.031 U	0.034 U	0.033 U					
Arcochlor-1221	MG/KG	2.6	1.29	0.03 U	0.032 U	0.032 U	0.033 U	0.03 U	0.03 U	0.03 U	0.03 U	0.03 U	0.031 U	0.034 U	0.033 U					
Arcochlor-1232	MG/KG	2.6	1.29	0.06 U	0.064 U	0.064 U	0.066 U	0.06 U	0.06 U	0.06 U	0.06 U	0.06 U	0.062 U	0.068 U	0.066 U					
Arcochlor-1242	MG/KG	2.6	1.29	0.03 U	0.032 U	0.032 U	0.033 U	0.03 U	0.03 U	0.03 U	0.03 U	0.03 U	0.031 U	0.034 U	0.033 U					
Arcochlor-1248	MG/KG	2.6	1.29	0.033 U	0.033 U	0.033 U	0.033 U	0.033 U	0.033 U	0.033 U	0.033 U	0.033 U	0.034 U	0.037 U	0.036 U					
Arcochlor-1254	MG/KG	2.6	1.29	0.66	0.032 U	0.032 U	0.033 U	0.03 U	0.03 U	0.03 U	0.03 U	0.2	0.031 U	0.034 U	0.033 U					
Arcochlor-1260	MG/KG	2.6	1.29	18	15	18	0.86	2.7	13	4.3	67	0.0093 J	0.007 J							

Notes:
 NA Not analyzed
 J The analyte was positively identified; the associated numerical value is the approximate concentration of the analyte in the sample.
 U The analyte was analyzed for, but was not detected above the reported sample quantitation limit.
 mg/kg Milligrams per Kilogram.

Values Bolded are analytes not detected by the Lab but are above the SCTL^{1MO}
 Values Shaded Pale Yellow are analytes not detected by the Lab but are above the SCTL^{REC}
 Values Bolded and Shaded Pale Yellow are analytes not detected by the Lab but are above both SCTL^{1MO} and SCTL^{REC}
 Values Bold and Pale Blue are hits exceeding the SCTL^{1MO}
 Values Bold and Pale Blue are hits that exceed the SCTL^{REC}
 Values Bold and Shaded Grey are hits that exceed both SCTL^{1MO} and SCTL^{REC}
 Values Bold and Shaded Grey are hits that exceed both SCTL^{1MO} and SCTL^{REC}
 1. CH 62-777 F.A.C Soil Cleanup Target Level (SCTLs) reported in mg/kg
 SCTL^{1MO} - Soil Cleanup Target Level Industrial
 SCTL^{REC} - Soil Cleanup Target Level Recreational

TABLE A-5
Parcel K Soil PCB Sampling 2011

Location	Sample ID	Sample Depth (ft)	Sample Date	Analyte	Units	SCTL ^{1 MW}	SCTL ^{REC}	E1NW JM22-E1NW-000.5 0 - 0.5 4/20/2011	E1SE JM22-E1SE-000.5 0 - 0.5 4/20/2011	E1SW JM22-E1SW-000.5 0 - 0.5 4/20/2011	E2C JM22-E2C-000.5 0 - 0.5 4/22/2011	E2NE2 JM22-E2NE2-000.5 0 - 0.5 4/21/2011	F2W JM22-F2W-000.5 0 - 0.5 4/20/2011	HF58075 JM22-HF58075-000.5 0 - 0.5 4/21/2011
	SW8082 (MG/KG)													
	Aroclor-1016				MG/KG	2.6	1.29	0.048 J	0.033 U	0.033 U	0.032 U	0.03 U	0.032 U	0.033 U
	Aroclor-1221				MG/KG	2.6	1.29	0.033 U	0.033 U	0.033 U	0.032 U	0.03 U	0.032 U	0.033 U
	Aroclor-1232				MG/KG	2.6	1.29	0.066 U	0.066 U	0.066 U	0.064 U	0.06 U	0.064 U	0.066 U
	Aroclor-1242				MG/KG	2.6	1.29	0.033 U	0.033 U	0.033 U	0.032 U	0.03 U	0.032 U	0.033 U
	Aroclor-1248				MG/KG	2.6	1.29	0.036 U	0.036 U	0.036 U	0.035 U	0.033 U	0.035 U	0.036 U
	Aroclor-1254				MG/KG	2.6	1.29	0.033 U	0.033 U	0.033 U	0.032 U	0.03 U	0.032 U	0.033 U
	Aroclor-1260				MG/KG	2.6	1.29	4.2	2.4	16	0.5	9.8	0.2	0.5

Notes:

NA Not analyzed

J The analyte was positively identified; the associated numerical value is the approximate concentration of the analyte in the sample.

U The analyte was analyzed for, but was not detected above the reported sample quantitation limit.

mg/Kg Milligrams per Kilogram

Values Bolded are analytes not detected by the Lab but are above the SCTL^{1 MW}

Values Shaded Pale Yellow are analytes not detected by the Lab but are above the SCTL^{REC}

Values Bolded and Shaded Pale Yellow are analytes not detected by the Lab but are above both SCTL^{1 MW} and SCTL^{REC}

Values Bold and Pale Blue are hits exceeding the SCTL^{1 MW}

Values Shaded Grey are hits that exceed the SCTL^{REC}

Values Bold and Shaded Grey are hits that exceed both SCTL^{1 MW} and SCTL^{REC}

1. Ch 62-777 F.A.C. Soil Cleanup Target Level (SCTLs) reported in mg/kg

SCTL^{1 MW} - Soil Cleanup Target Level Industrial

SCTL^{REC} - Soil Cleanup Target Level Recreational

EXHIBIT 4

Prepared by:

Stephanie Zamorski
Naval Facilities Engineering Command
Base Realignment and Closure Office
Program Management Office East
4911 South Broad Street
Philadelphia, PA 19112-1303
Telephone: (215) 897-4905

Return to:

The City of Key West
P.O. Box 1409
Key West, FL 33041-1409
Telephone: (305) 809-3700

THIS SPACE RESERVED FOR RECORDER'S USE

RELEASE AND MODIFICATION OF DEED RESTRICTIONS

PARCEL K

KNOW ALL MEN BY THESE PRESENTS:

THAT, WHEREAS, the UNITED STATES OF AMERICA, acting by and through the Department of the Navy (the "Government"), conveyed to the CITY OF KEY WEST, a public body, corporate and politic, created and organized under the laws of the State of Florida (the "Grantee") certain real property consisting of approximately 32.31 acres of land, formerly part of and known as the Truman Waterfront/Trumbo Road Properties located at the Naval Air Station, Key West, Florida (the "Property"), via Quitclaim Deed dated December 3, 2002, and recorded in the Official Records of the County of Monroe, State of Florida in Book 1839, Page 410, *et seq.*, as File Number 1338203 and re-recorded in Book 2026, Page 531, *et seq.*, as File Number 1457617 (the "Deed"); and

WHEREAS, the Deed contains certain notices and restrictions regarding the presence of contamination in excess of Florida Department of Environmental Protection ("FDEP") residential clean up target levels in Florida Administrative Code Chapter 777 within the Property described in the Deed and certain restrictions on the use and development of the Property; and

WHEREAS, the Deed contains certain restrictions on the Property referred to as the "Restricted Area (Land Use Controls)" as set forth in Exhibit "P-1" entitled "Parcel K Soil Restrictions Restricted to Non-Residential Use" ("Parcel K") including (i) a restriction prohibiting residential use, and (ii) a restriction prohibiting the installation of wells or the extraction of groundwater; and

WHEREAS, the Government completed additional remediation of the soil on Parcel K, also sometimes referred to as "City-Owned Portion of Parcel K", consisting of approximately 2.772 acres of land, as further described in Exhibit "A" attached hereto, as outlined in the Site Rehabilitation Completion Report ("SRCR") dated April 2014, which included certain remedial actions identified in Exhibit "B", and FDEP approved this remediation and determined that certain residential restrictions and groundwater restrictions listed below are no longer necessary to protect, or can be modified while remaining protective of, public health and the environment; and

WHEREAS, the Grantee has requested and the Government now agrees to release or modify, as specified below, the residential restrictions and groundwater restrictions on the terms set forth herein; and

WHEREAS, by correspondence dated June 4, 2014, attached hereto as Exhibit "C", FDEP has concurred with the Government's release or modification, as applicable, of the residential restrictions and groundwater restrictions.

NOW THEREFORE, the Government hereby releases or modifies, as specified, that portion of the Property identified in the Deed as Parcel K, and as described in Exhibit "A", from the following items as set forth in the Deed:

- (i) The residential use restriction in Paragraph C.4. (page 8) of the Deed is hereby modified to permit use for recreational camping and playgrounds, including future development as a park and amphitheater; residential use of the property is prohibited; and
- (ii) The groundwater restriction in Paragraph C.2. (page 8) of the Deed is released.

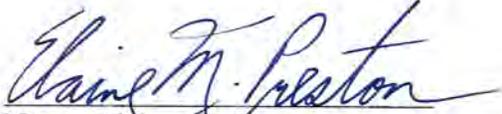
All terms and conditions of the Deed not specifically released or modified by this Release and Modification of Deed Restrictions shall remain in full force and effect.

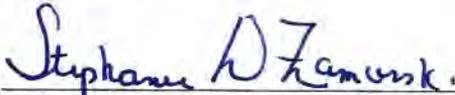
[Signatures on Following Page]

IN WITNESS WHEREOF, the Government has executed this Release and Modification of Deed Restrictions in manner and form sufficient to bind it as of the 17th day of June, 2015.

Signed, sealed and delivered
in the presence of:

THE UNITED STATES OF AMERICA
Acting by and through the
Department of the Navy


Name: Elaine M. Preston

By: 
Name: Stephanie D. Zamorski
As Its: Real Estate Contracting Officer


Name: Anthony G. K. M. S.

**COMMONWEALTH OF PENNSYLVANIA
COUNTY OF PHILADELPHIA**

The foregoing instrument was acknowledged before me this 17th day of June, 2015, by Stephanie D. Zamorski, as Real Estate Contracting Officer on behalf of the United States of America, who is personally known to me.


Notary Public Signature

(NOTARY SEAL)

LOUIS CERINO, SR.
Typed or Printed Notary Name
Notary Public - Commonwealth of Pennsylvania
Commission No.: 12245091
My Commission Expires: 6-30-18

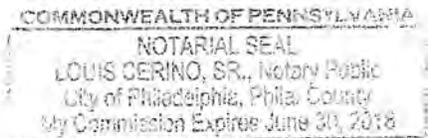
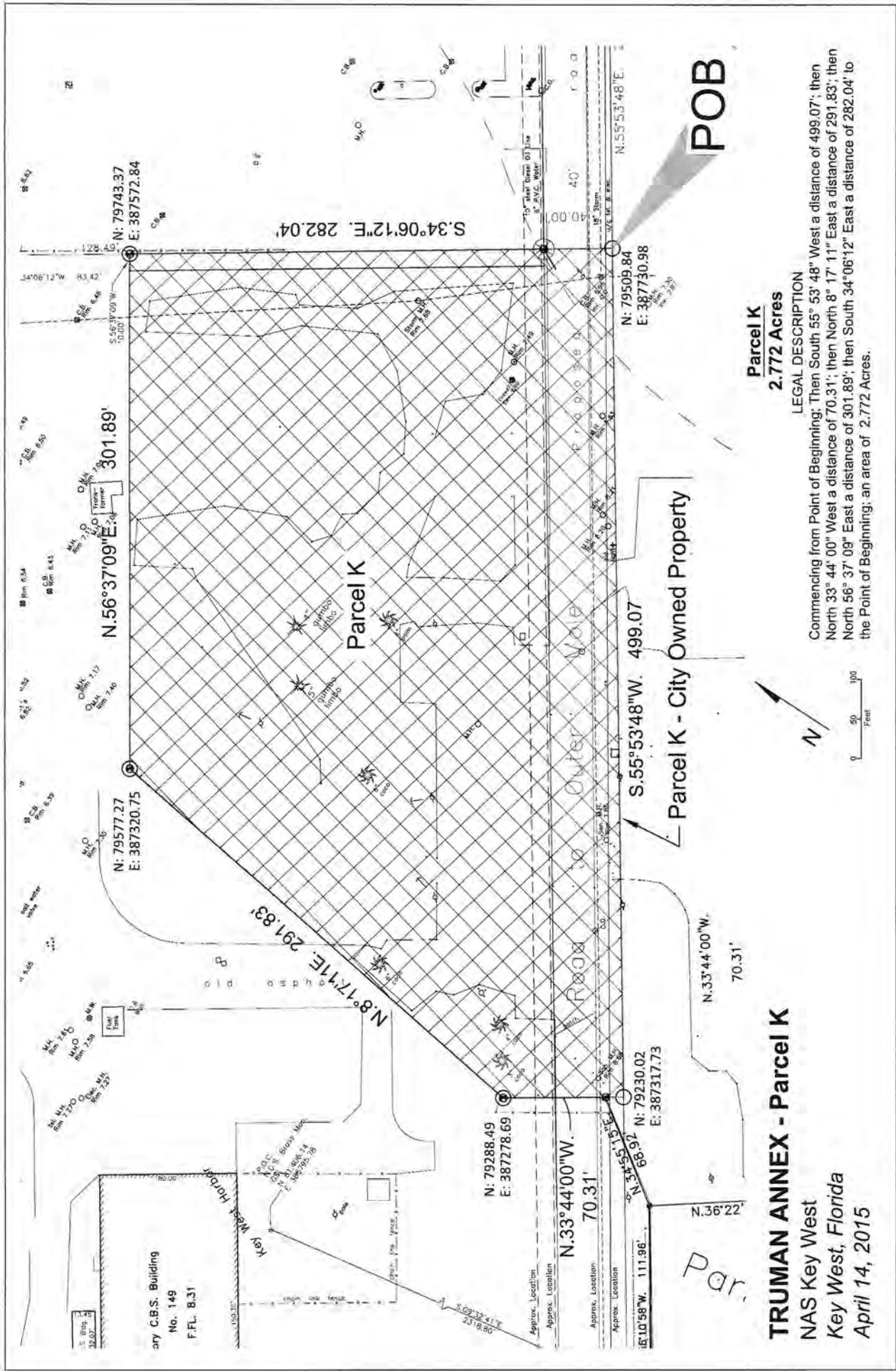


EXHIBIT "A"

SURVEY AND LEGAL DESCRIPTION – PARCEL K



N: 79743.37
E: 387572.84

N.56°37'09\"/>

N: 79577.27
E: 387320.75

N.8°17'41\"/>

N: 79288.49
E: 387278.69

N.33°44'00\"/>

N: 79230.02
E: 387317.73

S.55°53'48\"/>

N: 79509.84
E: 387730.98

S.34°06'12\"/>

N.55°53'48\"/>

POB

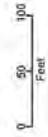
Parcel K
2.772 Acres

LEGAL DESCRIPTION

Commencing from Point of Beginning; Then South 55° 53' 48" West a distance of 499.07'; then North 33° 44' 00" West a distance of 70.31'; then North 8° 17' 11" East a distance of 291.83'; then North 56° 37' 09" East a distance of 301.89'; then South 34° 06' 12" East a distance of 282.04' to the Point of Beginning; an area of 2.772 Acres.

TRUMAN ANNEX - Parcel K

NAS Key West
Key West, Florida
April 14, 2015



any C.B.S. Building
No. 149
F.F.L. 8.31

Parcel K - City Owned Property

Par.

EXHIBIT "B"

**EXCERPT FROM "Site Rehabilitation Completion Report Revision 02, Soil
Removal Actions at the City-Owned Portion of Parcel K,
Contract No. N62470-08-D1006, Task Order No. JM22."**

RECOMMENDATION FOR RELEASE OF RESTRICTION

3.0 Conclusions and Recommendations

3.1 Conclusions

Based on the characterization and remedial activities completed at the City-owned portion of Parcel K, the project objectives have been achieved. Because remediation activities have resulted in soil analytical results below Direct Exposure Recreational SCTLs and indirect exposure based soil LGW SCTLs, thus Parcel K has achieved the requirements for Site Rehabilitation Completion Order (SRCO) status, documenting no further action (NFA) with controls in accordance with Chapter 62-780.680(2) FAC. Therefore, the Navy requests that SRCO (NFA with controls) status be issued for the property.

As documented in this report, the following activities have been completed:

- Surface and subsurface soil impacted by past activities at Parcel K were excavated and transported offsite from January 16, 2012 through February 13, 2012.
- Approximately 3,087 tons (142 truck loads) of contaminated non-TSCA soil were removed from Parcel K and transported to CEMEX Environmental Services in Miami, Florida, for treatment. One additional 55-gallon drum of contaminated non-TSCA soil cuttings was disposed of at Clark Environmental in Mulberry, Florida.
- Approximately 281 tons (14 trucks) of TSCA wastes were removed from Parcel K and transported to Chemical Waste Management, in Emelle, Alabama, a disposal facility approved for PCBs under TSCA and approved under the CERCLA Offsite Rule.
- The excavations were backfilled with approximately 3,114 yd³ of clean backfill material and 252 yd³ of crushed lime rock.
- Vegetation cover across the site was established by applying a standard FDOT grass seed mix in areas that had been disturbed because of remediation activities.
- The site currently meets the Direct Exposure Recreational SCTLs and LGW SCTLs and is suitable to be used as a recreational park, with land use restrictions limiting unrestricted land use such as residential use (with restrictions).
- Groundwater sampling and analysis for lead was completed in the source well MW-I2E on August 22, 2013. Laboratory results indicate the lead was not detectable in groundwater and the detection limit was below the GCTLs protective of surface water and potable use.
- The wastewater from the well development and purging was solidified and disposed of at Clark Environmental in Mulberry, Florida.

3.2 Recommendations

Because remediation activities have resulted in soil analytical results below Direct Exposure Recreational SCTLs, the Truman Annex Quitclaim Deed should be revised to allow for recreational use of the property while maintaining a restriction to prevent residential land use.

EXHIBIT "C"

**FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP)
LETTER OF 4 JUNE 2014 APPROVING AND ACCEPTING AS FINAL SITE
REHABILITATION COMPLETION REPORT (SRCR)
DATED APRIL 2014**



**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

BOB MARTINEZ CENTER
2600 BLAIRSTONE ROAD
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT
GOVERNOR

CARLOS LÓPEZ-CANTERA
L.T. GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

June 4, 2014

David Criswell, P.E.
BRAC Environmental Coordinator
Navy BRAC PMO SE
4130 Faber Place Drive
Suite 202
N. Charleston, SC 29405

RE: Site Rehabilitation Completion Report Revision 02, Soil Removal Actions at the City-Owned Portion of Parcel K, Contract No. N62470-08-D1006, Task Order No. JM22.

Dear Mr. Criswell:

The Department has reviewed the Site Rehabilitation Completion Report (SRCR) for the Soil Removal Actions at the City-Owned Portion of Parcel K, dated April 2014 (received April 15, 2014), submitted by CH2MHILL Construction Incorporated (CH2MHILL). The SRCR is suitable for its intent and approved as final.

The Department intends to issue a Site Rehabilitation Completion Order pursuant to Sections 62-780.680(3) and (7), Florida Administrative Code, upon demonstration that the deed has been revised to reflect the land use restrictions described in the SRCR.

If I can be of any further assistance with this matter feel free to contact me at (850) 933-8264.

Sincerely,

A handwritten signature in cursive script that reads "Tracie L. Vaught".

Tracie L. Vaught
Remedial Project Manager
DOD and Brownfields Partnerships
Bureau of Waste Cleanup

KW

Handwritten initials "KW" in cursive script.