



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

SEP 10 2009

The Honorable Bill Nelson
United States Senate
Washington, D.C. 20510-0905

Dear Senator Nelson:

Thank you for your August 6, 2009, letter requesting clarification of earlier correspondence regarding our review of sites or releases of hazardous substances in and around the Acreage.

In our July 26, 2009, letter, we noted that both the U.S. Environmental Protection Agency (EPA) and the Florida Department of Environmental Protection (FDEP) have reviewed our respective databases and have found no known sites or releases of hazardous substances in or around the Acreage. Our review consisted of a search of the databases of potentially hazardous waste sites with an address within the Acreage and/or sites outside the Acreage that have contamination which could have migrated to the Acreage. Because the Pratt & Whitney facility and its related groundwater contamination plume is approximately five miles away from the geographical boundary of the Acreage, it was not identified.

The Pratt & Whitney facility includes a number of groundwater wells that are located at the facility and beyond the facility boundaries to monitor contamination both within the plume and outside and downgradient of the plume. FDEP and EPA agree that the data from the groundwater wells indicate that no migration of groundwater contamination to the Acreage has occurred. According to FDEP, the Pratt & Whitney facility is currently in compliance with applicable hazardous waste regulations.

We are happy to clarify the basis for the listing decision at the Pratt & Whitney site. You are correct that EPA proposed to list the Pratt & Whitney site on the National Priorities List in 1984, and decided in 1989 to rescind that proposal. The reason for that decision was that in the intervening time, Pratt & Whitney (United Technologies Corporation/Pratt & Whitney) and FDEP were negotiating a consent agreement for cleanup activities at the Pratt & Whitney site. An agreement between FDEP and Pratt & Whitney was reached on April 26, 1985. One consequence of this agreement was that cleanup activities at the Pratt & Whitney site were to be conducted under the corrective action legal authority of the Resource Conservation and Recovery Act (RCRA). Since the 1980's, Pratt & Whitney has conducted activities pursuant to RCRA corrective action.

FDEP is authorized to implement the RCRA corrective action program for the State of Florida and EPA provides oversight for the State program. If you or anyone in the Acreage community has any questions about the Pratt and Whitney groundwater monitoring, the best contact is Mr. Tim Bahr, Environmental Administrator for the Hazardous Waste Regulations Section, FDEP, at (850) 245-8790.

We agree with your desire for EPA to provide appropriate assistance to the State. We have already offered sampling assistance to FDEP following the public meeting prior to its sampling the private wells in the Acreage. At this point FDEP has not requested our assistance, but we stand ready to help if needed and will continue to communicate and coordinate with our state and local partners on this matter.

If you have questions or need additional information from the EPA, please contact me or the Region 4 Office of Congressional and Intergovernmental Relations at (404) 562-8327.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Stanley Meiburg', written in a cursive style.

A. Stanley Meiburg
Acting Regional Administrator

cc: Michael Sole, Secretary, FDEP
Ana M. Viamonte Ros, Surgeon General, FDOH