



Florida Department of Environmental Protection

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Secretary

August 30, 2016

BY ELECTRONIC MAIL
russell.g.downey@pfizer.com

Mr. Russell Downey
Pfizer Inc.
M.S. 414
100 Route 206 North
Peapack, NJ 07977

Volusia County - Waste Cleanup
Sherwood Medical Industries Building G
590 East International Speedway Boulevard
Deland, Florida
FDEP Site ID: COM_262377
Remedial Action Plan Approval Order

Dear Mr. Downey:

The Central District of the Florida Department of Environmental Protection (Department) has received copies of the June 1, 2016 Temporary Point of Compliance Notification Letters and a copy of the constructive notice that was published on June 2, 2016 for the off-site Notice of Contamination Beyond Source Property Boundaries for Establishment of a Temporary Point of Compliance (TPOC) for the Former Wyeth, LLC (aka, Sherwood Medical Industries) Building G site located at 593 East International Speedway Boulevard, Deland, Volusia County, Florida. (Site).

Additionally, we have reviewed the March 2, 2016 *Remedial Action Plan* (RAP), that was submitted on your behalf by Geosyntec Consultants, on March 2, 2016, and the revised *Table 5: Proposed Monitoring Wells for Performance Monitoring, Natural Attenuation Monitoring, Temporary Point of Compliance, and Zone-of-Discharge Monitoring* and new *Table 6: Baseline Sampling Plan*, that were submitted on August 24, 2016. Based on our review of the documents submitted, the Department has determined that the actions proposed in the RAP, including utilizing large diameter augers (LDAs) in the source area to inject steam followed by applications of granular zero-valent iron and performing natural attenuation monitoring, represent a reasonable strategy toward accomplishing the cleanup objectives of Chapter 62-780, Florida Administrative Code (F.A.C.).

Pursuant to Rule 62-780.700(8)(a), F.A.C., the Department approves the RAP as described in this RAP Approval Order (Order). However, if it appears during RAP implementation that the remedial strategy is not effective, a request for modification of this Order, pursuant to Rule 62-780.700(15), F.A.C., may be submitted to the Department or the Department may require the preparation and submittal of a RAP

Modification to enhance the active remediation. Depending on the nature of the system modification, the Department may revoke this Order.

The in situ source treatment must be initiated within 120 days of the effective date of this RAP Approval Order, or before December 30, 2016. The remediation using the LDAs is expected to last approximately four (4) months. We expect to receive the RAP Construction Completion Report within 90 days of completion of the active remediation, or no later than July 31, 2017.

The first performance groundwater monitoring will be conducted at least six months after, but no more than nine months after the completion of the active source area remediation, or before March 16, 2018. Groundwater samples shall be collected from the ten (10) new monitoring wells that are included in the attached *Table 5: Proposed Monitoring Wells for Performance Monitoring, Natural Attenuation Monitoring, Temporary Point of Compliance, and Zone-of-Discharge Monitoring*. Sampling shall be performed on a semi-annual basis for one year (two sampling events) to evaluate contaminant concentrations in the treatment area and to monitor the Underground Injection Control parameter iron.

Additionally, a baseline groundwater sampling event shall be completed approximately 30 days before initiation of the remedial measure. The monitoring wells and parameters for the baseline groundwater sampling event are summarized in *Table 6: Baseline Sampling Plan*, which is included as an attachment to his Order. Pursuant to Rule 62-780.790, F.A.C. the Department shall be provided seven (7) days' notice prior to conducting field activities. We anticipate receiving the baseline groundwater sampling report on or before February 10, 2017.

Further, based on the Department's review of the submitted documents, and pursuant to Rule 62-780.690(5)(a), F.A.C., the Department approves the *Natural Attenuation Monitoring (NAM) Plan* that was included in *Section 7.1* of the *RAP*. Therefore, Pursuant to Rule 62-780.690(8), F.A.C., you are required to complete the monitoring program outlined below. The first sampling event shall be performed in conjunction with the first performance monitoring event, which will occur at least six months after, but no more than nine months after the completion of the source area remediation, or before February 9, 2018. Water level measurements must be made prior to each groundwater sampling event at all monitoring wells specified as Natural Attenuation Monitoring or Performance Monitoring wells, whether sampled or not. The analytical results (laboratory report), chain of custody record form, field sampling data sheets, instrument calibration logs, cumulative summary tables as required by Rule 62-780.600(8)(a)27, F.A.C. (updated as applicable), site map(s) that illustrate the most recent analytical results, and the water level elevation information (cumulative summary table and most recent flow interpretation map), must be submitted to the Department within 60 days of sample collection.

A digital copy of the Performance/NAM Reports shall be submitted within 60 days following each sampling event. We anticipate receiving the first report no later than April 13, 2018. Please submit all future correspondence in electronic format to DEP_CD@dep.state.fl.us, with a copy to Shabbir.Rizvi@dep.state.fl.us and Roger.Sussko@dep.state.fl.us. If the file is very large, you may post it to the Waste Cleanup folder on the Central District's ftp site at: ftp://ftp.dep.state.fl.us/pub/incoming/Central_District/Waste_Cleanup/. After posting the document, send an e-mail to DEP_CD@dep.state.fl.us, with a copy to Shabbir.Rizvi@dep.state.fl.us and Roger.Sussko@dep.state.fl.us, alerting us that it has been posted.

The monitoring wells to be sampled, the sampling parameters, and the sampling frequency for the sampling events are as follows:

Monitoring Well Location	Monitoring Well Type	Sampling Parameters	Sampling Frequency	Sampling Duration
<u>Zone A</u>				
MW-3A	Previously Contaminated Well	VOCs ¹	Annually	One (1) Year
MW-8A and MW-5A	TPOC ² Wells	VOCs ¹	Annually	One (1) Year
MW-35A	TPOC ² Well	VOCs ¹	Semi-Annually	One (1) Year
<u>Zone B</u>				
MW-15B	TPOC ² Well	VOCs ¹	Semi-Annually	One (1) Year
MW-8B and MW-22B	TPOC ² Wells	VOCs ¹	Annually	One (1) Year
<u>Zone C</u>				
MW-16C	Contaminated Well	VOCs ¹	Semi-Annually	One (1) Year
MW-22C	Contaminated Well	VOCs ¹	Annually	One (1) Year
MW-12C, MW-13C, MW-27C, and MW-28C	TPOC ² Wells	VOCs ¹	Annually	One (1) Year
<u>Zone D/E/F</u>				
MW-13E	Contaminated Well	VOCs ¹	Annually	One (1) Year
MW-22ER and MW-25E	Contaminated Wells	VOCs ¹	Semi-Annually	One (1) Year
MW-12E	Previously Contaminated Well	VOCs ¹	Semi-Annually	One (1) Year
MW-11F, MW-14E, MW-17D, MW-30E, and MW-31E	TPOC ² Wells	VOCs ¹	Semi-Annually	One (1) Year
¹ Volatile Organic Compounds (VOCs) by EPA Method 8260B ² TPOC = Temporary Point of Compliance				

If concentrations of contaminants in the groundwater in the designated Contaminated Wells or Previously Contaminated Wells increase above the Chapter 62-777, F.A.C., Natural Attenuation Default Concentration (NADC) criteria levels, or if concentrations of contaminants in the groundwater in the Temporary Point of Compliance (TPOC) monitoring wells increase above the Chapter 62-777, F.A.C., Groundwater Cleanup Target Levels, the Central District Waste Cleanup Program should be contacted so a determination can be made if the well(s) need to be re-sampled in accordance with Rule 62-780.690(8)(e), F.A.C. If re-sampling is required and the results of the re-sampling confirm the initial sampling results, then the monitoring report referenced in Rule 62-780.690(8)(d), F.A.C., must be signed and sealed by an appropriate registered professional pursuant to Rule 62-780.400, F.A.C., and must include a proposal as described in Rule 62-780.690(8)(e), F.A.C.

Additionally, if the concentrations of contaminants in the groundwater in any of the designated Contaminated Wells or Previously Contaminated Wells show an increasing trend at the end of the

monitoring period, then the monitoring report referenced in Rule 62-780.690(8)(d), F.A.C., must be signed and sealed by an appropriate registered professional pursuant to Rule 62-780.400, F.A.C., and must include a proposal as described in Rule 62-780.690(8)(e), F.A.C.

If the applicable No Further Action criteria of Rule 62-780.680(1), F.A.C., are met for at least the last two consecutive sampling events at the end of the monitoring period, a Site Rehabilitation Completion Report with a No Further Action (NFA) Proposal must be submitted as required in Rule 62-780.690(10), F.A.C. Pursuant to Rule 62-780.690(8)(d), F.A.C., the Site Rehabilitation Completion Report with a NFA Proposal must summarize the monitoring program and contain documentation to support the opinion that the cleanup objectives have been achieved. The Site Rehabilitation Completion Report with NFA Proposal must be signed and sealed by an appropriate registered professional pursuant to Rule 62-780.400, F.A.C.

If the applicable No Further Action criteria of Rule 62-780.680(2) or (3), F.A.C., are met for at least the last two consecutive sampling events at the end of the monitoring period, then a Site Rehabilitation Completion Report with a No Further Action (NFA) Proposal, that summarizes the monitoring program and contains documentation to support the opinion that the groundwater cleanup objectives have been achieved, **may** be submitted to the Central District pursuant to Rule 62-780.690(10), F.A.C. The Site Rehabilitation Completion Report with NFA Proposal must be signed and sealed by an appropriate registered professional pursuant to Rule 62-780.400, F.A.C.

If the applicable No Further Action criteria of Rule 62-780.680, F.A.C., are not met following the required monitoring events, then the last monitoring report must include a proposal as described in Rule 62-780.690(8)(f), F.A.C.

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, Florida Statutes (F.S.), within 21 days of receipt of this Order. The procedures for petitioning for an administrative 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 the Natural Attenuation Monitoring Plan you do not have to do anything. This Order is final and effective as of the date of clerking this Order, 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 an administrative 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 an administrative hearing; **or**
 - (2) File a petition for an 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 an Administrative 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 an administrative hearing. Such a request must be filed (**received**) by the Department's Agency Clerk in the Office of General Counsel at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000, within 21 days of receipt of this Order. Petitioner, if different from the Pfizer Inc., shall mail a copy of the request to Pfizer Inc., MS 414, 100 Route 206 North, Peapack, New Jersey 07977, Attention: Mr. Russell Downey, at the time of filing. Timely filing a request for an extension of time tolls the time period within which a petition for an administrative hearing must be made.

How to File a Petition for an 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 Department's Agency Clerk in the Office of General Counsel at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000, within 21 days of receipt of this Order. Petitioner, if different from the Pfizer Inc., shall mail a copy of the request to Pfizer Inc., MS 414, 100 Route 206 North, Peapack, New Jersey 07977, Attention: Mr. Russell Downey, 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 Section 120.569(2), F.S. and Rule 28-106.201, F.A.C., a petition for an 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 facility owner's name and address, if different from the petitioner; the FDEP site number, **Waste Cleanup Site ID: COM_262377**, 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 as of the date of clerking this Order, which is indicated on the last page of this Order. Timely filing a petition for an 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.

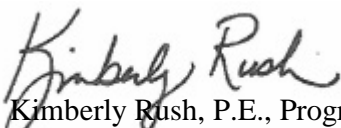
Judicial Review

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 Department's Agency Clerk in the Office of General Counsel at 3900 Commonwealth Boulevard, Mail Station 35, 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 30 days after this Order is filed with the Department's clerk (see below).

Questions

Any questions regarding the Department's review of the Remedial Action Plan should be directed to Tracy Jewsbury, by telephone at 407-897-4323 or by e-mail at tracy.jewsbury@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 does not constitute a petition for administrative hearing or request for an extension of time to file a petition for administrative hearing.

Sincerely,



Kimberly Rush, P.E., Program Administrator
Permitting and Waste Cleanup Program

August 30, 2016

Date

KR/gbl/tlj

FILING AND ACKNOWLEDGMENT:

FILED, on this date, pursuant to Section 120.52 F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.



Clerk

August 30, 2016

Date

Attachments: *Table 6: Baseline Sampling Plan*

Table 5: Proposed Monitoring Wells for Performance Monitoring, Natural Attenuation Monitoring, Temporary Point of Compliance, and Zone-of-Discharge Monitoring

c: Catherine Soistman, P.E., Geosyntec CSoistman@Geosyntec.com
Emily Lawson, P.E., Geosyntec ELawson@Geosyntec.com

**Table 5. Proposed Monitoring Wells for Performance Monitoring, Natural Attenuation Monitoring, Temporary Point of Compliance, and Zone-of-Discharge Monitoring
Wyeth LLC, Building G, DeLand, Florida**

Zone	Well	Performance	NAM	TPOC	ZOD	Rationale	Frequency for First Year
A	MW-3A		X		X	Sidegradient; Previous impacts; Zone-of-discharge	Semiannual
	MW-5A		X	X		Sidegradient east	Annual
	MW-8A		X	X		Sidegradient west	Annual
	MW-35A	X		X		Proposed well in southeastern LDA area; Downgradient	Semiannual
B	MW-8B		X	X		Sidegradient west	Annual
	MW-15B		X	X	X	Downgradient of plume and zone-of-discharge	Semiannual
	MW-22B		X	X		Downgradient	Annual
	MW-32B	X				Proposed well in northern LDA area	Semiannual
	MW-33B	X				Proposed well in central LDA area	Semiannual
	MW-34B	X				Proposed well in southwestern LDA area	Semiannual
C	MW-35B	X				Proposed well in southeastern LDA area	Semiannual
	MW-12C		X	X		Downgradient	Annual
	MW-13C		X	X		Downgradient	Annual
	MW-16C		X		X	Impacted; Downgradient of zone-of-discharge	Semiannual
	MW-22C		X			Impacted	Annual
	MW-27C		X	X		Sidegradient west	Annual
	MW-28C		X	X		Sidegradient west	Annual
	MW-32C	X				Proposed well in northern LDA area	Semiannual
	MW-33C	X				Proposed well in central LDA area	Semiannual
D/E/F	MW-34C	X				Proposed well in southwestern LDA area	Semiannual
	MW-35C	X				Proposed well in southeastern LDA area	Semiannual
	MW-11F		X			Vertical extent well	Annual
	MW-12E		X			Sidegradient northwest	Annual
	MW-13E		X			Impacted	Annual
	MW-14E		X	X		Sidegradient southeast	Annual
	MW-17D		X	X		Downgradient	Annual
	MW-22ER		X			Impacted	Semiannual
	MW-25E		X			Centerline of plume	Semiannual
MW-30E		X	X		Downgradient	Annual	
MW-31E		X	X		Downgradient	Annual	
MW-32E	X				Proposed well in northern LDA area	Semiannual	

Notes:

1. Samples from all wells will be analyzed for VOCs by EPA Method 8260B. Samples selected for ZOD monitoring will also be analyzed for iron by EPA Method 6010B.
2. After the first year of monitoring, the sampling locations and frequency may be modified. It is anticipated that select performance monitoring wells will transition to NAM wells.
3. If the first year of ZOD monitoring indicates that iron concentrations are similar to baseline conditions or background concentrations, ZOD monitoring will be considered complete.
4. Water levels will be collected from the monitoring wells that are sampled during each event.
5. NAM indicates natural attenuation monitoring.
6. ZOD indicates zone-of-discharge.
7. TPOC indicates temporary point of compliance.

**Table 6. Baseline Sampling Plan
Wyeth LLC, Building G, DeLand, Florida**

Zone	Well	Analysis		Rationale
		VOCs	Iron	
A	MW-3A	X	X	ZOD monitoring; Sidegradient; Previous impacts
	MW-5A	X		Sidegradient east; Last sampled in 2009
	MW-8A	X		Sidegradient west; Previous impacts; Last sampled in 2009
B	MW-15B	X	X	ZOD monitoring; Downgradient of plume; Last sampled in 2009
	MW-22B	X		Downgradient
C	MW-16C	X	X	ZOD monitoring; Impacted; Downgradient of treatment area; Increase in TCE during last event
	MW-22C	X		Impacted; Increase in concentrations during last sampling event
D/E/F	MW-12E	X		Sidegradient northwest; Previous impacts
	MW-13E	X		Impacted
	MW-17D	X		Downgradient; Last sampled in 2008
	MW-22ER	X		Impacted; Concentrations varied between the two sampling events

Notes:

1. Samples from all wells will be analyzed for VOCs by EPA Method 8260B. Samples selected for ZOD monitoring will also be analyzed for iron by EPA Method 6010B.
2. Water levels will be collected from the monitoring wells in the baseline sampling plan.
3. ZOD indicates zone-of-discharge.