



G-000-103.22

1567

**U.S. DOE-FMPC
HAMILTON COUNTY
HAZARDOUS WASTE**

06/28/91

**OEPA/DOE-FMPC
3
LETTER**



State of Ohio Environmental Protection Agency

Southwest District Office

40 South Main Street
Dayton, Ohio 45402-2086
(513) 285-6357
FAX (513) 285-6249

1567

George V. Voinovich
Governor

June 28, 1991

RE: U.S. DOE - FMPC
HAMILTON COUNTY
HAZARDOUS WASTE
OH 6 890 008 976
G-TSD-LDF

Mr. Gerald Westerbeck
FMPC Site Manager
DOE-FMPC Site Office
P.O. Box 398705
Cincinnati, Ohio 45239-8705

Dear Mr. Westerbeck:

On June 13, 1991 and June 17, 1991, we visited the U.S. Department of Energy Feed Materials Production Center (DOE-FMPC) in order to conduct a hazardous waste compliance evaluation inspection. The purpose of the inspection was to assess FMPC compliance with applicable state and federal hazardous waste regulations and with hazardous waste requirements of the Consent Decree. During our inspection, we were accompanied by Dave Rast (DOE), Sue Schneider (WMCO), and additional DOE and WMCO staff.

The scope of our assessment consisted of a physical inspection of regulated units identified under the current FMPC Part A application, selected hazardous waste generation points, and a review of selected records pertaining to the management of hazardous waste at the FMPC site. Groundwater monitoring requirements were not addressed as a component of this inspection. Copies of completed inspection forms are enclosed for your information.

The findings of the inspection are as follows:

- 1) FMPC remains in violation of OAC 3745-52-11, Waste Evaluation and OAC 3745-65-13, Waste Analysis. These violations are subjects of the Consent Decree. FMPC appears to be in compliance with waste evaluation and analysis schedules as established by the Consent Decree.
- 2) FMPC recently revised portions of the facility RCRA contingency plan to update changes to the facility emergency organization. OEPA/SWDO received a copy of the updated information (Revision 1.1-0291) on March 18, 1991. During the inspection it was noted that a copy of the contingency

JUL 31 1991

E-3810 1

plan located on-station at Building #68 (Pilot Plant Warehouse) did not contain the updated information. FMPC should ensure that all secondary copies of the contingency plan retained on-site are updated and consistent with information contained in the primary copy.

- 3) Two separate shipments of hazardous waste from FMPC occurred in 1991 that resulted in violations of OAC 3745-52-20, Manifest General Requirements, and OAC 3745-65-71, Use of Manifest System. These were manifests #MI2239866 and #MI2239867, and Bill of Lading #0218 shipped 1-30-91, and manifest document #16815, shipped 2-27-91. In both instances, OEPA was informed that there were paperwork problems with the manifested shipments. A review of FMPC correspondence and memoranda associated with discovery and resolution of the problems indicates that FMPC initiated action to correct "discrepancies" specific to these shipments. It should be noted however, that OAC 3745-65-72 identifies manifest discrepancies as "differences between the quantity or type of hazardous waste designated on the manifest or shipping paper, and the quantity or type of hazardous waste a facility actually receives." Errors or omissions in manifest information relating to EPA Identification number, generator name, EPA waste code numbers, etc., represent violations of OAC sections cited at the beginning of this paragraph.
- 4) Those violations documented during the August, 1990 inspection relating to personnel training, operating record, and contingency plan requirements, have been adequately addressed.
- 5) Significant progress has been achieved in identification/overpacking of deteriorating containers.
- 6) Implementation of control measures as outlined within the FMPC Drum Management Plan (August, 1990) have resulted in improved waste storage at FMPC.

In regard to comment #3 above, within thirty (30) days, please provide this office with information which stipulates FMPC action to prevent similar manifest violations with respect to future hazardous waste shipments.

Mr. Gerald Westerbeck
June 28, 1991
Page Three

Should you have any questions or comments, please contact either of us at (513) 285-6357.

Sincerely,



Phillip C. Harris
Division of Solid and
Hazardous Waste Management



Michael J. Hayes
Division of Solid and
Hazardous Waste Management

PCH/MJH/nys

Enclosure

cc: Catherine McCord, USEPA, Region V
Sue Schneider, WMCO
Laurie Stevenson, RCRA Enforcement, DSHWM, CO
Graham Mitchell, DWQPA, SWDO