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**PLANT 6 REMOVAL ACTION WORK PLAN -
INFORMAL DISPUTE RESOLUTION UNDER
SECTIONS IX. AND XIV. OF THE CONSENT
AGREEMENT**

10/10/90

**DOE-50-91
DOE-FMPC/USEPA
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Department of Energy

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FMPC Site Office
P.O. Box 398705
Cincinnati, Ohio 45239-8705
(513) 738-6319

OCT 10 1990
DOE-50-91

Ms. Catherine A. McCord, Remedial Project Director
U. S. Environmental Protection Agency
Region V - 5HR-12
230 South Dearborn Street
Chicago, IL 60604

Dear Ms. McCord:

**PLANT 6 REMOVAL ACTION WORK PLAN - INFORMAL DISPUTE RESOLUTION
UNDER SECTIONS IX. and XIV. OF THE CONSENT AGREEMENT**

Reference: ^{#1779} Letter, Catherine A. McCord to Mr. Bobby Davis,
"Removal Action #1 - Plant 6, U. S. DOE Fernald,
OH6 890 008 976," dated October 1, 1990

On October 1, 1990, the United States Department of Energy (U.S. DOE) received the referenced letter from you approving the Plant 6 Removal Action Work Plan with the following modifications:

1. U.S. DOE must provide treatment for contaminants in the water pumped from under Plant 6 prior to dilution with other waste streams or waste water. This treatment shall include appropriate air stripping and/or charcoal filtration to remove volatile organic compounds (VOCs). All treatment units shall include appropriate controls for controlling air emissions.
2. U.S. DOE shall monitor the rate and volume of water pumped from each collection well. U.S. DOE shall collect a representative sample of the pumped water from each collection well weekly and analyze it for all hazardous substances. This information shall be presented to U.S. EPA in the monthly Consent Agreement Status Report. U.S. DOE may propose to limit the list of analytes after sampling verifies indicates what contaminants are present.

U.S. DOE informally disputes this conditional approval under sections IX.C. and XIV. of the Consent Agreement. The unilateral modifications described above, made by U. S. EPA affect U. S. DOE's ability to plan, design, schedule, procure, and implement the U. S. DOE Work Plan submitted on August 6, 1990. The issues

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raised by EPA's unilateral modifications must be resolved before the Work Plan can be implemented. These issues together with proposed resolutions are discussed below.

Subject to resolution of this dispute, U.S. DOE will incorporate the treatment requirements of item one and provide appropriate treatment of the extracted perched water from beneath Plant 6. The U.S. DOE proposes that the treatment system designed for the Plant 6 Removal Action be capable of treating extracted perched water from beneath all FMPC buildings. Engineering design efforts for these system modifications were initiated by U.S DOE on October 5, 1990. These design efforts were initiated to address EPA modification no. 1. A more detailed discussion of this proposal will be presented to you by the U.S. DOE at a date to be established in the future. The selected treatment method will include appropriate controls for controlling air emissions.

U. S. DOE does not agree with the unilateral modifications in item two. While U. S. DOE agrees that the rate and volume pumped from each collection well should be monitored, it does not agree that collecting a full HSL sample from each collection well on a weekly basis is a feasible approach to discharge monitoring. The current cost and "turn around time" for verified HSL results from a RI/FS QAPP approved laboratory creates several concerns about the sampling requirements of item two. These concerns are as follows:

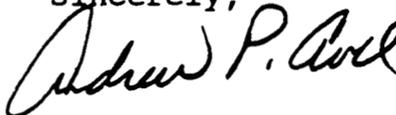
1. Weekly HSL sampling of each extraction well would reduce the benefits realized by integrating FMPC perched water collection and centralized treatment.
2. Weekly HSL sampling of each extraction well would greatly increase sampling costs without providing additional beneficial data. Sampling of the four extraction points in Plant 6 would add an additional three HSL samples a week to the proposed sampling plan. The proposed modification to the collection/treatment system is to collect all the extracted perched water from Plant 6 in a dedicated header from which one composite HSL sample could be obtained weekly along with an additional HSL sample to be collected at the point of discharge from the treatment system. The current cost for analysis of HSL samples is \$2218.00 per sample. The three additional HSL samples would add \$6654.00 per week to this project. Pumping of the Plant 6 extraction wells yielded approximately 65 gallons per day or 455 gallons per week. The additional sampling cost would be \$14.62/gallon of extracted perched water per week. The additional cost of weekly HSL sampling is not justified for the low volume of extracted water and in light of the fact that the data obtained from treated effluent sampling is far more important than influent data from each specific extraction point.

3. Incorporation of the HSL sampling results in the monthly Consent Agreement Status Report would lag the sample collection by four to five months due to laboratory "turn around time" for HSL analysis of approximately 90 days and 30 to 60 days reporting delay. This "lag time" eliminates any benefits that could be derived from the additional sampling.

A conference call will be scheduled at a future date to present the U.S. DOE proposed resolutions to the specific requirements of modification number 2.

If you have any questions, please contact myself at (513) 738-6161 or Carlos J. Fermaintt at (513) 738-6157.

Sincerely,



Andrew P. Avel
FMPC Remedial Actions
Project Manager

cc:

R. P. Whitfield, EM-40, FORS
E. G. Feldt, EH-232, FORS
R. B. Allen, EM-432, GTN
G. E. Mitchell, OEPA - Dayton
P. Q. Andrews, USEPA - V
D. A. Kee, USEPA - V
K. J. Pierard, USEPA - V
D. A. Ullrich, USEPA - V
E. Schuessler, PRC
R. E. Owens, ODH - Columbus
L. August, GeoTrans