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**UNDERGROUND STORAGE TANK NO. 5 -  
CORRECTIVE ACTIONS**

02/23/90

WMCO:R:90-165  
WMCO/DOE-FSO  
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LETTER

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Westinghouse  
Materials Company  
of Ohio

PO Box 398704  
Cincinnati, Ohio 45239-8704  
(513) 738 6200

WMCO:R:90-165  
February 23, 1990

Mr. Ray Hansen  
Acting Site Manager  
U.S. Department of Energy  
P.O. Box 398705  
Cincinnati, Ohio 45239-8705

Dear Mr. Hansen:

SUBJECT: UNDERGROUND STORAGE TANK NO. 5 - CORRECTIVE ACTIONS

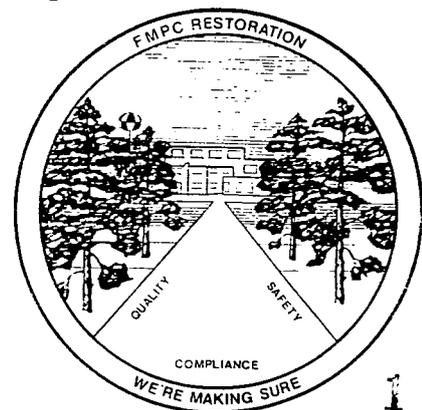
Reference: Letter, DOE-452-90, "UNDERGROUND STORAGE TANK NO. 5," J. A. Reafsynder to President, WMCO, January 22, 1990.

In the referenced letter, it is stated that as a result of the report of the suspect leak of a RCRA hazardous waste from underground tank 5, the FMPC must conduct corrective actions pursuant to Section 3004(u) and 3004(v) of the Hazardous and Solid Wastes Amendments of 1984 (HSWA). In addition, the letter states that the first step in the corrective action process is a RCRA facility assessment (RFA) conducted by the lead agency and that DOE may be the lead agency.

Sections 3004(u) and 3004(v) of HSWA apply to permitted facilities. For interim status facilities, such as the FMPC, the applicable section is 3008(h). This provision authorizes the regulating agency to issue an order for a corrective action whenever it determines that there has been a release of hazardous waste into the environment from an interim status facility. In the state of Ohio, the agency with the authority for HSWA corrective actions is the USEPA (Region V). The FMPC is not required to begin any corrective actions unless ordered by the USEPA.

Date Rec'd FEB 27 1990

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The issue of implementing corrective actions at the FMPC may be moot in light of the pending DOE and USEPA Consent Agreement under CERCLA Section 120 106(a). In this agreement, all corrective action investigations will be handled as part of the Remedial Investigation and Feasibility Study (RI/FS).

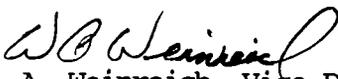
Although no formal corrective actions are required until ordered by USEPA, the suspected hazardous waste release from tank #5 will be investigated and managed as required by OAC 3745-66-96. Further investigations will take place as part the RCRA closure for the tank system, as well as the RI/FS. The tank, associated piping, and any contaminated soil, blacktop, or debris will be removed or otherwise managed during closure pursuant to OAC 3745-66-97.

It is WMCO's position that the appropriate actions to take are as follows:

- 1) Ensure that any potential future releases from the tank have been mitigated per OAC 3745-66-96.
- 2) Complete and submit release report to Ohio EPA per OAC 3745-66-96(D) (3).
- 3) Prepare and submit to the Ohio State Fire Marshal a modified UST registration application and a modified application for removal of FMPC underground storage tanks, deleting tank #5.
- 4) Develop and submit a RCRA closure plan for approval by OEPA.
- 5) Revise and submit to OEPA an updated RCRA Part A and Part B permit applications to include tank #5.
- 6) Identify and implement all appropriate RCRA regulatory requirements for hazardous waste storage tanks.

Item #2, the tank #5 release report, was submitted to Ohio EPA on February 8, 1990. This report addresses the requests in the referenced letter for information on soil contamination and groundwater sampling results. Work is currently underway on the other actions listed above. If you have any questions, please contact Ms. S. G. Schneider, Manager of Solid Waste Compliance, at extension 6740.

Very truly yours,

  
W. A. Weinreich, Vice President  
FMPC Restoration

cc: S. L. Bradley  
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