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**REMOVAL #3 DISPUTE RESOLUTION SOUTH
PLUME EE/CA
U.S. DOE FERNALD
OH6 890 008 976**

10/25/90

**USEPA/DOE-FSO
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LETTER
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
230 SOUTH DEARBORN ST.
CHICAGO, ILLINOIS 60604

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OCT 25 1990

REPLY TO ATTENTION OF:

Gerald W. Westerbeck
United States Department Of Energy
Feed Materials Production Center
P.O. Box 398705
Cincinnati, Ohio 45239-8705

5HR-13

RE: Removal#3 Dispute Resolution
South Plume EE/CA
U.S. DOE-Fernald
OH6 890 008 976

Dear Mr. Westerbeck:

In an October 4, 1990, letter, the United States Environmental Protection Agency (U.S. EPA) provided notice to the United States Department of Energy (U.S. DOE) that the dispute over the Engineering Evaluation and Cost Analysis (EE/CA) for the South Groundwater Contaminant Plume Removal Action #3 had been elevated to the Dispute Resolution Committee because the initial thirty days of the dispute had past. The basis for the dispute was outlined in U.S. EPA's September 4 and October 4, 1990, letters.

On October 16, 1990, a teleconference was held between you and myself, as members of the Dispute Resolution Committee. As required by Section XIV of the 1990 Consent Agreement, this written decision sets forth the unanimous resolution of this dispute. This agreement requires that U.S. DOE:

1. Install and operate a water treatment unit to reduce contaminant loading to the Great Miami River. It is expected that this unit will be operational by December 15, 1991, and the uranium loading will be reduced to a level of approximately 1,700 pounds per year. This unit will be operated until the Advance Wastewater Treatment (AWWT) unit goes on-line in late 1993.
2. Install a gradient control system for the South Groundwater Contaminant Plume. U.S. DOE has committed to reviewing the project schedule and approach to reduce the time required to install the interceptor wells ahead of the proposed June 15, 1992, date. I felt that it would be in the best interest of U.S. DOE and U.S. EPA if the gradient control system became operational around December 1991, as well. As discussed in our teleconference, consideration should be given to

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installation of an interim collection system that, for example, may send untreated water south to the Great Miami River until the time that an underground system can be installed to carry the water back to the plant. We both agreed that expediting the start-up of the gradient control system has the potential of reducing the overall costs for the South Groundwater Contaminant Plume remedial action. The schedule and details of the gradient control system should be presented in the work plan. 2145

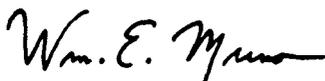
In summary there will now be three aspects of the South Plume removal action. The first part involves supplying an alternate water supply to two of the industrial water users along Paddys Run Road. Part two of the removal action is the interception and collection of the contaminant plume, and part three is the treatment of wastewater at the plant to reduce contaminant loading to the Great Miami River.

A work plan for Part 1 of the removal action has been submitted to U.S. EPA for review and approval. A revised EE/CA that responds to agreements made in resolution of this dispute must be submitted within twenty-one (21) days of the date of this letter, as required by Section XIV.J of the 1990 Consent Agreement. Work plans for the second and third parts of this removal action are to be submitted within thirty (30) days of the EE/CA submittal. As agreed, U.S. DOE will initiate design work for parts 2 and 3 immediately.

There are several additional outstanding issues related to this dispute. Additional deficiencies in the EE/CA were identified in U.S. EPA's September 4, 1990, letter. The majority of the deficiencies are related to risk analysis, sampling and analysis, and the effluent line. The concerns and deficiencies related to risk analysis should be addressed in the risk assessment for Operable Unit #5. The work plans for Parts 2 and 3 of this removal action should address the sampling and analysis issues. A schedule for repairs and routine inspections of the effluent line should be submitted to U.S. EPA prior to or in conjunction with the work plans.

Please contact me at (312/FTS) 886-7437 if there are any questions regarding this matter.

Sincerely yours,



William E. Muno
Associate Division Director
Office of RCRA
Waste Management Division

cc: Richard Shank, OEPA
Graham Mitchell, OEPA - SWDO
Joe LaGrone, U.S. DOE - ORO
Leo Duffy, U.S. DOE - HDQ

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