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**OEPA MAKES THE FOLLOWING STIPULATION
REGARDING THE INSTALLATION AND
OPERATION OF THE GLOVE BOX**

9-27-90

**OEPA/DOE
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LETTER**



State of Ohio Environmental Protection Agency

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Columbus, Ohio 43266-0149
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Richard F. Celeste
Governor

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Original File Co

September 27, 1990

Mr. Bobby Davis
U.S. DOE - FMPC
P.O. Box 398705
Cincinnati, Ohio 45239

Dear Mr. Davis:

The Ohio EPA has reviewed your August 14, 1990 information submittal regarding the glove box feasibility testing at the K-65 silos at FMPC. Based upon the information contained in your letter, and in supplemental information provided to Ohio EPA, SWDO, the Ohio EPA makes the following stipulation regarding the installation and operation of the glove box:

- 1) The glove box will be installed in the Pilot Plant Maintenance Building at FMPC.
- 2) The glove box will be installed and operated according to the manufacturer's instructions and recommendations.
- 3) The glove box will be designed such that any air exhausted during operation shall be treated by a carbon absorber followed in series by a HEPA filter.
- 4) The glove box shall be immediately removed from service if any visible damage is observed that may adversely affect the further operation of the unit, or if visible emissions are observed.
- 5) The emissions to the ambient air shall not exceed 2.2×10^{-7} pounds per hour and the radionuclide dose shall not exceed 1.18×10^{-6} mrem(EDE).
- 6) The glove box will be operated for the purpose of performing feasibility analyses on the K-65 silo residue samples and that such analyses will be completed by January 31, 1991.
- 7) Upon completion of the K-65 residue analyses, the glove box will be removed from service and not operated again until DOE has obtained any applicable permits or approvals from Ohio EPA.

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Mr. Bobby Davis
U.S. DOE - FMPC
Page Two

The Ohio EPA urges that U.S. DOE proceed as expeditiously as practical with the installation and use of the glove box. Ohio EPA is aware that it is DOE's position that permits are not required because the work is being conducted under CERCLA at an NPL site. However, please be advised that this operation is subject to Ohio's Permit to Operate rules (OAC Chapter 3745-35). Simultaneously with the installation and operation of the source, an application for a Permit to Operate should be submitted pursuant to OAC Chapter 3745-35. While there is an exemption in Ohio law from the Permit to Install rules for this type of source, there exists no corresponding exemption from the Permit to Operate requirements.

If you have any questions, please do not hesitate to contact me at (614) 644-2782.

Sincerely,



Thomas A. Winston, P.E.
Acting Assistant Director

TAW/mj

cc: G. Mitchell
T. Tucker, DAPC
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W. Hayes, Legal
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C. McCord, U.S. EPA