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**U.S. EPA COMMENTS ON REMOVAL ACTION 5:
K-65 DECANT SUMP TANK FINAL REPORT**

9-25-92

USEPA/DOE

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LETTER



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

R-014-707.1

SEP 23 12 02 PM '92

SEP 25 1992

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REPLY TO THE ATTENTION OF:

Mr. Jack R. Craig
United States Department of Energy
Feed Materials Production Center
P.O. Box 398705
Cincinnati, Ohio 45239-8705

HRE-8J

RE: U.S. EPA Comments on Removal
Action 5: K-65 Decant Sump Tank
Final Report

Dear Mr. Craig:

The United States Environmental Protection Agency (U.S. EPA) has completed its review of the United States Department of Energy's (U.S. DOE) Removal Action 5: K-65 Decant Sump Tank Final Report. The Report documents activities that occurred during the Removal Action.

U.S. EPA is concerned with the issue of proper handling of the liquid in the Decant Sump Tank. Since early 1992, when the liquid was removed from the tank, the level of liquid has substantially risen in the tank. At a minimum, the residual material should be analyzed to determine whether or not it is a hazardous waste. Since the tank is no longer used to handle byproduct material any generated waste will, at a minimum, be considered a solid waste.

Enclosed are U.S. EPA's comments on the Report. U.S. DOE must revise the report incorporating the enclosed comments.

Please contact me at (312) 886-0992 if you have any questions.

Sincerely,

James A. Saric
Remedial Project Manager

Enclosure

cc: Graham Mitchell, OEPA-SWDO
Pat Whitfield, U.S. DOE-HDQ
Dennis Carr, WMC0

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K-65 DECANT SUMP TANK REMOVAL ACTION,
REMOVAL ACTION NO. 5
FINAL REPORT

TECHNICAL COMMENTS

General Comments

- 1) The U.S. Department of Energy (DOE) cites an exclusion from Resource Conservation and Recovery Act (RCRA) requirements for the liquid and residuals in the Decant Sump Tank. The exclusion apparently pertains to byproducts from utilizing special nuclear material, but it is unclear why the Decant Sump Tank liquids and sludge, which primarily include leachate from the K-65 silos, are excluded. The K-65 silos have not been used to accumulate slurry since the 1950s, when they were taken out of service. Since then, the Decant Sump Tank has been primarily used to accumulate resultant leachate. Because the sump has been accumulating leachate from a waste material and has not been used as part of a production process since the 1950s, the exclusion does not appear applicable. Considering the future use and handling of waste residuals from the Decant Sump Tank, DOE should outline procedures for future management of potentially hazardous waste from the sump.
- 2) Analytical data is presented as raw data in Attachments A and B. The results should be summarized in tables within the report to allow direct comparability.
- 3) Data from pre- and post-sampling of the Decant Sump Tanks are compared. However, Attachment A does not contain data for radionuclides. The final report should include this data, if available.
- 4) Liquid has been accumulating in the tank since the implementation of the removal action (RA). DOE should discuss the source of this liquid and its potential future disposition. Because about 300 gallons of residual sludge and additional liquid is present, the risks associated with this material should be evaluated to determine whether or not the RA was

effective in remediating these risks. If not, future RA activities should be developed and implemented after review and approval by the U.S. Environmental Protection Agency (EPA).

Specific Comments

Comment No. 1 -- Page 5, Paragraph 3. DOE states that pre- and post-removal action results are "similarly duplicated." A cursory review of Attachments A and B suggests considerable variability between the results for heavy metals. Also, no radionuclide data are provided in Appendix A to compare with Appendix B results; thus, direct comparison is not possible. DOE should further discuss pre- and post-removal action analytical results.

Comment No. 2 -- Page 5, Paragraph 4. DOE states that sampling and analysis yield "favorable results" for heavy metal and radionuclide treatment. Specific results, if available, should be included.

Comment No. 3 -- Page 6, Paragraphs 2 and 3. DOE indicates that the Decant Sump Tank liquids are excluded from RCRA regulation under 40 CFR 261.4(a)(4). DOE later indicates that metals analyses indicate that the liquids yield results above RCRA regulatory levels. DOE should discuss the implications of liquid characteristics on future wastes generated by the Decant Sump Tank.

Comment No. 4 -- Page 11, Paragraph 3. DOE states that future pumping of liquid from the tank should be initiated as a maintenance activity. EPA notes that the material may be considered a waste, possibly hazardous. Future activities should take this fact into account. Also, a hazardous waste determination should be obtained for tank residuals.

Comment No. 5 -- Page 13, Paragraph 1. DOE refers to the RA work plan as "Removal Action No. 9." The correct reference is "Removal Action No. 5."