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**PROPOSED AMENDED CONSENT DECREE
(PACD) COMPLIANCE SCHEDULE
REQUIREMENTS FOR THE REMAINING DRUMS
IDENTIFIED UNDER THE PROPOSED AMENDED
CONSENT DECREE**

11/24/92

**DOE-0434-93
DOE-FN/OEPA
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LETTER**



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Department of Energy
Fernald Environmental Management Project
P.O. Box 398705
Cincinnati, Ohio 45239-8705
(513) 738-6357

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NOV 24 1992

DOE-0434-93

Mr. Paul D. Pardi
Hazardous Waste Group Leader
Ohio Environmental Protection Agency
Southwest District Office
40 South Main Street
Dayton, OH 45402-2086

Dear Mr. Pardi:

PROPOSED AMENDED CONSENT DECREE (PACD) COMPLIANCE SCHEDULE REQUIREMENTS FOR THE REMAINING DRUMS IDENTIFIED UNDER THE PROPOSED AMENDED CONSENT DECREE

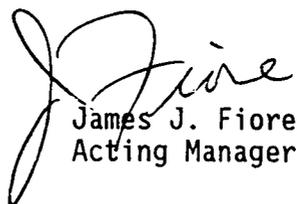
Reference: DOE-2813-92, W. D. Adams (DOE) to P. Pardi (OEPA), "Completion of Sampling and Analysis for the Remaining Drums Identified Under the Proposed Amended Consent Decree," dated September 25, 1992

In accordance with Section 3.12 of the Proposed Amended Consent Decree (PACD), dated December 4, 1990, et. al. (CIVIL NO. C-1-86-0217), the Department of Energy (DOE) is required within 60 days from the date of any report or revision to a permit application which identifies any additional Hazardous Waste Management Units (HWMUs) or hazardous waste not previously identified at the Fernald Environmental Management Project (FEMP), to submit a compliance schedule to the Ohio Environmental Protection Agency (OEPA) for approval, setting forth a timetable by which the hazardous waste requirements shall be implemented. On September 25, 1992, the FEMP reported to the OEPA (reference letter) determinations which declared 12 additional waste streams to be Resource Conservation and Recovery Act (RCRA) hazardous waste. The attachment includes a Compliance Schedule for these newly determined waste streams.

In an effort to standardize all PACD Compliance Schedule submittals, the attached Compliance Schedule lists all requirements related to both the storage of hazardous wastes and the operation of Hazardous Waste Management Units; however, it clearly identifies those activities and requirements which are not applicable for the management of the referenced RCRA hazardous waste streams. This standardized approach has been used to facilitate the preparation and review of the Compliance Schedule as it documents reasons why certain requirements are not applicable or actions that are not required where compliance is already achieved.

Ohio EPA approval of the enclosed document is requested within 30 days of receipt of this submittal. If you or your staff have any questions regarding these compliance schedules, please contact Ed Skintik at (513) 738-6660.

Sincerely,



James J. Fiore
Acting Manager

FN:Skintik

Enclosure: As Stated

cc w/encl.:

K. A. Hayes, EM-424, TREV
D. A. Nixon, WEMCO/52-10
D. Paine, FERMCO/72
Administrative Record, WEMCO

cc w/o encl.:

C. A. Anderson, EM-424, TREV II
G. Mitchell, OEPA, SWDO
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T. J. Stone, WEMCO/71
N. C. Kaufman, FERMCO/72
J. Long, FERMCO/72
J. W. Thiesing, FERMCO/72
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**COMPLIANCE SCHEDULE FOR
THE REMAINING DRUMS IDENTIFIED UNDER
THE PROPOSED AMENDED CONSENT DECREE
AT THE FEMP**

I. INTRODUCTION

In accordance with Section 3.12 of the Proposed Amended Consent Decree (PACD), dated December 4, 1990, et. al. (CIVIL NO. C-1-86-0217), the Department of Energy (DOE) is required within 60 days from the date of any report or revision to a permit application which identifies any additional Hazardous Waste Management Units (HWMUs) or hazardous waste not previously identified at the FEMP, to submit a proposed compliance schedule to the Ohio EPA for approval setting forth a timetable by which the hazardous waste requirements shall be implemented.

On September 25, 1992, the FEMP reported to the Ohio EPA waste characterization results which declared twelve additional waste streams, identified by the attached list, to be Resource Conservation and Recovery Act (RCRA) hazardous waste. These waste streams are represented by a combined total of 2151 drums. Of these 2151 drums, 2047 are currently stored on Plant 8 East Drum Storage Pad and the remaining drums on the Plant 1 Pad.

The attached list provides information concerning the remaining 20 percent of the 26,000 Drums and Other Materials not affected by the Hazardous Waste Management Unit Review as scheduled in the PACD. The characterization results for the Bio-Surge Lagoon Sludge yielded waste codes which were not affected by the results of the Hazardous Waste Management Unit Review and therefore added to the remaining 20% not affected by category of Section 3.5.1(d)(i) of the PACD.

The attached list also provides information concerning waste streams from the 10,000 Drums and Other Materials affected by the Hazardous Waste Management Unit Review.

II. SCHEDULE

In accordance with Section 3.1 of the Consent Decree, the drums of newly determined wastes will be transferred and stored within a RCRA storage area. The following schedule for the newly identified twelve hazardous waste streams will be implemented to comply with the applicable hazardous waste requirements.

1. Transfer drummed RCRA waste to a RCRA Storage Area identified in the Part A/B Permit Application within 60 days from determination that the waste is hazardous and manage in accordance with PACD and RCRA requirements. If the waste cannot be transferred within 60 days, a short term storage plan must be submitted to Ohio EPA within 60 days (PACD Section

3.5.1(f)).

Comments: The wastes will be transferred to the covered and controlled RCRA storage areas within the tension support structure at the Plant 1 Pad, identified in the FEMP RCRA Part A/B Permit Application. The large number of drums involved with these waste streams and those identified in the past are scheduled for storage in the tension support structure. Although the transfer process is expected to start in the near future, it will take a long time to complete.

COMPLETION DATE: June 30, 1993

2. Update RCRA Waste Inventory Operating Record (OAC 3745-65-73 (A) and (B)(1)(2)(3), OAC 3745-54-73 (A) and (B)(1)(2)(3), OAC 3745-59-07).

COMPLETION DATE: Completed September 30, 1992

3. Mark containers with hazardous waste labels (OAC 3745-52-31 through OAC 3745-52-32).

COMPLETION DATE: Completed September 30, 1992

4. Contain waste in compliance with the requirements of OAC 3745-66-71 through OAC 3745-66-73.

COMPLETION DATE: June 30, 1993

5. Store all drums and other containers (other than tank systems) holding hazardous waste and/or mixed waste in a manner which complies with the containment storage system requirements (OAC 3745-55-75, Consent Decree Section 3.3)

COMPLETION DATE: June 30, 1993

6. Complete a written assessment of all tank systems that do not have secondary containment that meets the requirements of OAC 3745-66-93 to determine that the tank system is not leaking or is unfit for use (OAC 3745-66-91).

Comments: Not applicable because the twelve additional waste streams are not managed in tanks.

COMPLETION DATE: Not applicable.

7. Segregate incompatible wastes and adhere to precautions to prevent

ignition or reaction of ignitable or reactive waste (OAC 3745-65-17, OAC 3745-54-17).

Comments: Any incompatible waste drums will be segregated when transferred to Plant 1 Pad.

COMPLETION DATE: June 30, 1993

8. Institute access controls (OAC 3745-65-14, OAC 3745-54-14).

COMPLETION DATE: Completed.

9. Maintain adequate aisle space (OAC 3745-54-35, OAC 3745-65-35).

Comments: The drums are currently stored on the Plant 8 East Drum Storage Pad and Plant 1 Pad with adequate aisle space.

COMPLETION DATE: Completed

10. Initiate inspections and maintain inspection records (OAC 3745-65-15, OAC 3745-54-15: general inspection requirements, Consent Decree Section 3.4, OAC 3745-66-74 inspections for container storage areas).

COMPLETION DATE: Completed

11. Assure that access to required communications equipment is available (OAC 3745-65-34, OAC 3745-54-34).

Comments: Section G of Part B Permit Application addresses the availability of the alarms and emergency equipment.

COMPLETION DATE: Completed.

12. Assure that required alarms and emergency equipment are available and operational (OAC 3745-65-32 and OAC 3745-65-33).

COMPLETION DATE: Completed.

13. Update Contingency Plan (OAC 3745-54-50 through OAC 3745-54-56).

COMPLETION DATE: Completed

14. Establish arrangements/agreements with local authorities (OAC 3745-54-37, OAC 3745-65-37).

COMPLETION DATE: Completed.

15. Perform a hazardous waste management unit evaluation of Plant 1 Pad and Plant 8 East Drum Storage Pad, where newly determined wastes are currently stored (Proposed Amended Consent Decree).

Comments: The Plant 1 Pad and Plant 8 East Storage Pad are identified as HWMUs in the RCRA Part A/B Permit Application.

COMPLETION DATE: Not applicable

16. Modify RCRA Permit Application to incorporate newly identified waste streams/HWMU.

COMPLETION DATE: March 29, 1993

17. Report newly identified waste streams/HWMU in quarterly reports to OEPA as required by PACD Section 4.13.

COMPLETION DATE: Completed October 20, 1992

18. Submit Closure Plan Information and Data (OAC 3745-66).

Comments: This compliance schedule is for newly identified waste streams. Therefore the Closure Plan Information Data is not required.

COMPLETION DATE: Not applicable

19. Update training requirements and records (OAC 3745-54-16, OAC 3745-65-16).

COMPLETION DATE: Completed

20. Identify groundwater monitoring requirements (OAC 3745-65-90 through OAC 3745-65-94, OAC 3745-65-15 (B)).

Comments: Not applicable because these wastes are not managed in a unit requiring groundwater monitoring. Groundwater monitoring requirements pertain only to regulated units (i.e., impoundments, landfills, waste piles, land treatment).

COMPLETION DATE: Not applicable.

21. Verify that freeboard requirements are met, and if necessary, submit plans to install additional freeboard (OAC 3745-67-22).

COMPLETION DATE: Not applicable.

III. NEWLY DETERMINED WASTE

The following table lists the newly characterized wastes:

**26000 DRUMS & OTHER MATERIALS
NOT AFFECTED BY HWMUR
(20% STREAMS)**

Material Description	Source Code	Material Type	EPA Hazardous Waste No.	Drum Count	Location (Plant Number)
Non-Recoverable Trash	600	003	D006, D007	4	1
Non-Recoverable Trash	600	003	F002	4	1
Non-Recoverable Trash	600	003	D001	1	1
Non-Recoverable Trash	600	003	D009	4	1
Semi-Solids For Blending	920	040	D007	2	8
Salt Semi-Solids, Chloride	643	044	D007	52	1
Furnace Salt, Chloride	642	060	D011	27	1
Furnace Salt, Non-Chloride	323	061	D001	1	1
Furnace Salt, Non-Chloride	323	061	D008, D010	11	1
Bio-Surge Lagoon Sludge	721	001	F001, F002, D018, D039	2041	8

**10000 DRUMS & OTHER MATERIALS
AFFECTED BY HWMUR**

Material Description	Source Code	Material Type	EPA Hazardous Waste No.	Drum Count	Location (Plant Number)
U308 + 8 Mesh, Low F	824	122	F001, F002, D0 07	2	1, 8
U308 + 8 Mesh, Low F	824	122	D039	2	1, 8

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