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**DISAPPROVAL OF REMOVAL ACTION 25 -  
NITRIC ACID TANK CAR WORK PLAN**

**12/07/92**

**USEPA/DOE-FN  
4  
LETTER**

R-035-207, 2

Original File Co.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

Date Rec'd DEC 9 1992  
G-01104  
3976 AR  
REPLY TO THE ATTENTION OF:

DEC 07 1992

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

HRE-8J

RE: Disapproval of Removal Action  
25: Nitric Acid Tank Car Work  
Plan

Dear Mr. Craig:

The United States Environmental Protection Agency (U.S. EPA) has completed its review of the Removal Action (RA) Number 25 Nitric Acid Tank Car Work Plan. The Work Plan proposes to remove, store, and treat approximately 100 gallons of waste from the Nitric Acid Tank Car.

The waste material is Resource Conservation and Recovery Act (RCRA) hazardous for corrosivity and may exhibit other characteristics of hazardous waste. If the waste is hazardous under the toxicity characteristic leaching procedure, the United States Department of Energy proposes to treat the waste with uranyl nitrate hexahydrate. This constitutes RCRA treatment, which requires the unit be permitted unless it meets the definition of a totally enclosed treatment facility. Also on-site treatment has to meet applicable RCRA Land disposal restriction treatment standards.

Therefore, U.S. EPA disapproves the Work Plan pending incorporation of the enclosed comments.

Please contact me at (312/FTS) 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, WMCO

(JANKL(RJ))  
Partial Action  
Response  
to DOE-0247-93  
(5263)

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NITRIC ACID TANK CAR AND AREA REMOVAL ACTION WORK PLAN  
AND CLOSURE PLAN INFORMATION AND DATA PACKAGE

GENERAL TECHNICAL COMMENTS

- 1) The U.S. Department of Energy (DOE) removal action (RA) work plan proposes to remove, store, and treat about 100 gallons of waste from the Nitric Acid Tank Car. This waste is Resource Conservation and Recovery Act (RCRA) hazardous for corrosivity and may exhibit other RCRA characteristics. If the waste is toxic by characteristic under the toxicity characteristic leaching procedure (TCLP), DOE proposes to treat the waste with the uranyl nitrate hexahydrate (UNH) undergoing treatment in RA No. 20. Treatment of a RCRA characteristic waste that exhibits TCLP characteristics would require an approved RCRA treatment permit for the UNH system unless the system meets the definition of a totally enclosed treatment unit. DOE should provide further information on the nature of the waste material and the status of the UNH system if it intends to use the system to treat waste.
2. DOE proposes an alternate approach if the waste is not TCLP characteristic: the waste would be stored with lime in Tank No. 17, which in effect would treat the waste by elementary neutralization. If the waste is not TCLP characteristic but it is corrosive, placing it in Tank No. 17 would constitute treatment; however, this may be considered elementary neutralization, which would make the treatment process RCRA exempt. EPA believes that this approach may be acceptable.

SPECIFIC COMMENTS

1. Attachment 5, Page 4-6, Paragraph 2. The text states that RCRA land disposal restrictions (LDR) are not applicable. However, LDR requirements are applicable because LDR regulations apply to on- and off-site storage, treatment, or disposal of RCRA waste. If a waste is TCLP characteristic, it should be treated in accordance with the Best Designated Available Technology (BDAT) and meet LDR treatment standards. DOE should also certify that the waste has been treated to meet LDR standards and should retain records for 5 years following treatment.

COMMENTS ON THE REMOVAL ACTION NUMBER 25  
 "NITRIC ACID TANK CAR AND AREA REMOVAL ACTION WORK PLAN  
 AND CLOSURE PLAN INFORMATION AND DATA PACKAGE"

USEPA REGION 5 RADIATION SECTION

NOVEMBER 1992

Commenting Organization: USEPA Commentor: Gene Jablonowski  
 Section #: 2.2 Pg. #: 2-2 Line #: 20  
 Code: C

Original Comment # 1

Comment: For clarity, the permissible limit in both DOE Order 5400.5 and 10 C.F.R. 20.2003 for release of natural uranium to a sanitary sewer should be stated in this section.

Response:

Action:

Commenting Organization: USEPA Commentor: Gene Jablonowski  
 Section #: 3.3.2.3 Pg. #: 3-28 Line #: N/A  
 Code: C

Original Comment # 2

Comment: The figure on page 3-28, "Sample locations for Nitric Acid Tank Car HWMU and area," should probably be denoted as Figure 3-3 rather than Figure 3-1.

Response:

Action:

Commenting Organization: USEPA Commentor: Gene Jablonowski  
 Section #: 3.3.2.3 Pg. #: 3-29 Para. #: 2  
 Code: M

Original Comment # 3

Comment: In addition to soil sampling, a radiation contamination walkover survey of the area within the HWMU should be performed once the Tank Car is removed from the HWMU. This would assist in concluding whether past practices related to the Tank Car have resulted in radiological contamination within the HWMU. Results of such a walkover survey may be of use in determining locations for sampling if radiological contaminations is indeed found.

Response:

Action:

Commenting Organization: USEPA Commentor: Gene Jablonowski  
 Section #: 4.0 Pg. #: 4-1 Para. #: 1  
 Code: C

Original Comment # 4

Comment: Since the HWMU has contaminants considered as mixed waste, a certified health physicist (CHP), in addition to a professional engineer (PE), should certify that the HWMU was

closed to ensure that radiological issues were addressed.

Response:

Action: