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**PERMIT MODIFICATION US DOE - FERNALD
NPDES PERMIT NO.: OH009580 PUBLIC NOTICE:
APRIL 12, 1993**

05/14/93

**USEPA/OEPA
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LETTER**

G-038994407



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAY 15 1 35 PM '93

MAY 14 1993

REPLY TO THE ATTENTION OF:

WQP-16J

Paul Novak, Chief
Permits Section
Division of Water Pollution Control
Ohio Environmental Protection Agency
1800 WaterMark Drive
Columbus, Ohio 43266-0149

Re: Permit Modification (*DD)
U.S. DOE, Fernald
NPDES Permit No.: OH0009580
Public Notice: April 12, 1993

Dear Mr. Novak:

We have reviewed the draft permit for the above-referenced facility noticed on April 12, 1993. Region 5 will not object to the modification of this permit, however, we have the following recommendation.

The modification adds sludge monitoring requirements on page M10a and sludge sampling Station 11000004589 on page M12 under the National Pollutant Discharge Elimination System (NPDES) permit. The existing sewage treatment plant processes sanitary sewage and laundry wastewater contaminated with the radioactive materials according to the existing permit. The resulting dried sludge is shovelled from the sludge drying beds, drummed, and stored on site. The sludge drying beds are presently considered a Hazardous Waste Management Unit under the Resource Conservation and Recovery Act (RCRA) and are included in the RCRA Part B application submission.

Currently the facility handles sewage sludges like low-level radioactive materials. If the sludge consists of either hazardous wastes or mixed wastes (containing hazardous and radioactive components), then the sludge should be regulated under the RCRA and not under the Clean Water Act (CWA). If the sludge is not considered as hazardous wastes but considered as low-level radioactive wastes, then the sludge should be regulated under the Atomic Energy Act (AEA) and not under the CWA.

The facility needs to demonstrate and ensure continuously that the sludge is neither hazardous wastes nor radioactive wastes to add the sludge program under the NPDES permit. If the sludge meets the definition for hazardous or radioactive

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wastes, (1) U.S. Environmental Protection Agency (U.S. EPA) does not believe that the sludge should be covered under the NPDES permit and (2) permittee must ensure that the treatment and disposal are consistent with the requirements of either RCRA or AEA, respectively.

Although the facility has not manufactured uranium since 1989, past operations and ongoing cleanup activities generate both hazardous wastes and mixed wastes. Ohio Environmental Protection Agency (Ohio EPA) must ensure that the discharge of nonradioactive pollutants in the effluent still meets Ohio EPA water quality standards.

You must resubmit the permit to the U.S. EPA for review if:

a. prior to the actual date of issuance, an Effluent Guideline or Standard is promulgated which is applicable to the permit and which would require revision or modification of a limitation or condition set forth in the draft permit;

b. a variance is granted and the permit is modified to incorporate the results of that variance; or

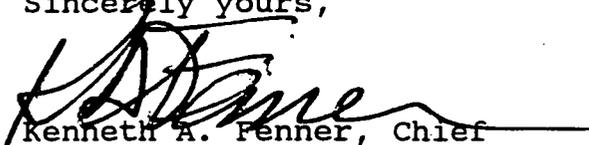
c. a determination is made not to incorporate the agreed upon change(s) or there are any additional revisions to be incorporated into the final permit which have not been agreed to by this Agency.

If the State complies with the above conditions, the permit may be issued in accordance with the Memorandum of Agreement and pursuant to the CWA.

When the final permit is issued, please forward one copy and any significant comments received during the public notice period to this office at the above address, Attention: Permit Section.

If you have any questions regarding the recommendation, please feel free to contact Sangsook Choi at (312) 353-1869.

Sincerely yours,



Kenneth A. Fenner, Chief
Water Quality Branch

cc: John Owen, Ohio EPA
Robert E. Tiller, Manager, U.S. DOE Fernald
Paul Pardy, Ohio EPA SWDO