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**REVIEW OF HISTORICAL DOCUMENTS - FMPC
WASTE PIT 5**

07/10/89

**DOE-1297-89
FERMCO/DOE-FN
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LETTER
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Department of Energy

FMPC Site Office
P.O. Box 398705
Cincinnati, Ohio 45239-8705
(513) 738-6319

546 3

July 10, 1989

DOE-1297-89

Mr. Basil G. Constantelos, Director
Waste Management Division
U.S. Environmental Protection Agency
Region V - 5H-12
230 S. Dearborn Street
Chicago, Illinois 60604

Dr. Richard L. Shank, Director
Ohio Environmental Protection Agency
1800 WaterMark Dr.
Columbus, Ohio 43215

Gentlemen:

REVIEW OF HISTORICAL DOCUMENTS - FMPC WASTE PIT 5

Under the Federal Facility Compliance Agreement between the United States Environmental Protection Agency (U.S. EPA) and the Department of Energy (DOE) dated July 19, 1986, DOE is in the process of characterizing the waste pit area at the Feed Materials Production Center (FMPC) Site. The Characterization Investigation Study (CIS), of the Waste Storage Area, Volumes I, II and III was submitted to U.S. EPA Region V for review and comment on October 23, 1987, December 2, 1987, and March 7, 1988 respectively. The Remedial Investigation/Feasibility Study (RI/FS) is not yet complete. Samples collected from the waste pits during the characterization investigation were analyzed according to the approved EPA Procedures (EP toxicity method).

To the best of our knowledge, based on process information, the only unit in the waste pit area containing Resource Conservation and Recovery Act (RCRA) waste is Pit 4. An interim RCRA closure plan for Pit 4 was submitted to U.S. EPA on July 29, 1987 and to Ohio EPA (OEPA) on September 28, 1987. U.S. EPA approved the plan August 9, 1988 with final approval from OEPA on February 27, 1989. The interim closure has been initiated and will be completed in August 1989.

During our continuing review of historical FMPC records, the enclosed correspondence (which was transmitted to U.S. EPA Region V on August 12, 1980) was recovered from the Federal Record Center in Atlanta, Georgia and made available to site personnel during the first week of July 1989. This documentation indicates that Waste Pit 5 received U and P listed wastes. The majority of these wastes were laboratory chemicals discarded from the laboratory sinks at the FMPC. Wastes listed as U under 40 CFR 261.33 are discarded commercial chemical products considered to be toxic when discarded. Wastes listed as P under 40 CFR 261.32 are discarded commercial chemical products that are considered acute hazardous when discarded.

Based on our understanding of 40 CFR 261.1 a solid waste is defined as any discarded material, unless it is excluded pursuant to 40 CFR 261.4 or 40 CFR 260.30. In addition, under 40 CFR 261.3 (a) (ii) and (iv), the mixture of any listed waste and another solid waste is a hazardous waste unless one of the appropriate Clean Water Act (CWA) criteria is met.

Under the CWA, regulated wastewaters that result from laboratory operations that contain only toxic wastes (U listed) which are below certain concentration limits are exempt. We understand that this exemption does not apply to laboratory wastewaters containing P listed wastes. Thus, from the records which we currently have, it appears that Waste Pit 5 received what may be RCRA listed wastewaters because of the presence of the P listed wastes.

Data from the Characterization Investigation Study submitted to U.S. EPA and OEPA indicates that constituents related to the P listed wastes are present in the sediments and surface waters of Waste Pit 5. However, EP toxicity analyses of the sediment indicate that the arsenic is not leachable and therefore, does not present an imminent hazard to human health or the environment. The limited solubility of the arsenic indicates that other metal contaminants present are also in an insoluble form. Surface water samples of the downstream Clearwell confirm this. Cyanides, also present in Waste Pit 5, are below NPDES discharge limits.

Our ongoing environmental monitoring program indicates that there is no immediate threat to public health or the environment.

Notwithstanding the above, if you agree with our interpretation of the regulations, DOE would plan to submit an interim closure plan for Waste Pit 5 and a post-closure permit application to the U.S. EPA and OEPA. Since the latest resubmission of the RCRA Part A

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Permit for FMPC (submitted to U.S. EPA and OEPA, March 22, 1989) does not reflect the above information, we would also be prepared to revise and resubmit this application.

We would appreciate your early advice and counsel regarding this matter.

Sincerely,


James A. Reafsnyder
FMPC Site Manager

DP-84:Reafsnyder

Enclosure: As stated

cc w/encl.:

C. A. McCord, U.S. EPA-V
G. Mitchell, OEPA-Dayton
M. Walsh, OEPA-Columbus

bcc w/encl.:

- L. Duffy, S-1, FOR
- J. E. Lytle, DP-10, FOR
- P. N. Brush, IE-13, FOR
- R. P. Berube, EH-20, FOR



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Department of Energy
Oak Ridge Operations
P.O. Box E
Oak Ridge, Tennessee 37830

AUG 12 1980

Y. J. Kim
RCRA Notification Contact
U.S. EPA Region V
230 South Dearborn Street
Chicago, Illinois 60604

Dear Mr. Kim:

RCRA: NOTIFICATION OF HAZARDOUS WASTE ACTIVITY

Pursuant to the requirements of 40 CFR 262, enclosed are EPA forms 8700-12 for our Notification of Hazardous Waste Activity for the following Department of Energy operated sites:

Portsmouth Gaseous Diffusion Plant
Feed Materials Production Center

This is the first notification for these facilities. We received your mailing and generator number assignment. We are, though, slightly altering the label on which the generator number was printed.

If you have any questions, please contact G. J. Marciante of my staff at FTS 626-0850.

Sincerely,

J. F. Wing, Chief
Environmental Protection Branch
Safety and Environmental
Control Division ---

MS-331:GJM

Enclosures

PS Form 3800, Apr. 1976

SENDER Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one):
 Show to whom and date delivered
 Show to whom, date, and address of delivery
 RESTRICTED DELIVERY
 Show to whom and date delivered
 RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO: Y.J. KIM, RCRA Rep.
 U.S. EPA-V
 230 So. Dearborn St.
 Chicago, IL 60604

3. ARTICLE DESCRIPTION:
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 8766777

4. I have received the article described above.
 SIGNATURE: *W. J. Kim* Address: _____ Authorized agent

5. ADDRESS (Post Office)
 AUG 1 1976
 U.S. ENVIRONMENTAL PROTECTION AGENCY

6. UNABLE TO DELIVER BECAUSE _____ CLERK'S INITIALS _____

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

P15 8766777

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
 NOT FOR INTERNATIONAL MAIL
 (See Reverse)

SENT TO: Y. J. KIM, RCRA Rep.
 U.S. EPA-V
 230 So. Dearborn St.
 Chicago, IL 60604

POSTAGE		\$
CERTIFIED FEE		\$
SPECIAL DELIVERY		\$
RESTRICTED DELIVERY		\$
CONSULT POSTMASTER FOR FEES OPTIONAL SERVICE	RETURN RECEIPT SERVICE SHOW TO WHOM AND DATE DELIVERED	\$
	SHOW TO WHOM DATE AND ADDRESS OF DELIVERY	\$
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	\$
	SHOW TO WHOM DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	\$
TOTAL POSTAGE AND FEES		\$
POST-MARK OR DATE		

PS Form 3800, Apr. 1976

C. Commercial Chemical Product Hazardous Wastes

49. U002	69. U154
50. U012	70. U155
51. U013	71. U159
52. U019	72. U161
53. U021	73. U165
54. U031	74. U167
55. U044	75. U169
56. U051	76. U177
57. U055	77. U188
58. U056	78. U196
59. U057	79. U201
60. U080	80. U210
61. U112	81. U211
62. U117	82. U213
63. U122	83. U218
64. U123	84. U220
65. U134	85. U226
66. U135	86. U228
67. U144	87. U238
68. U151	88. U239