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**APPROVAL OF DRAFT INTERIM RECORD OF DECISION FOR OU3
(CONDITIONAL APPROVAL)**

05/10/94

USEPA DOE-FN
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COMMENTS



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

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REPLY TO THE ATTENTION OF:

MAY 10 1994

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

HRE-8J

RE: Approval of Draft
Interim Record
of Decision for OU 3

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) Draft Interim Record of Decision (IROD) and Responsiveness Summary for Operable Unit (OU) 3. The IROD adequately presents the alternative descriptions and comparative analysis of alternatives to support decontamination and dismantling of all facilities and structures in the production area.

However, U.S. EPA has two comments. First, regarding threshold criteria, the IROD discusses protection of human health and the environment in terms of degrees of protectiveness (page 29, lines 1 to 3). This should be corrected to state whether a remedy is either protective or not protective.

Second, the discussion of compliance with applicable or relevant an appropriate requirements (ARAR) (page 29, lines 17 to 23) should be revised to reflect that, consistent with the National Oil and Hazardous Substances Pollution Contingency Plan 300.430 (f)(ii)(c)(1), an alternative that does not meet an ARAR can be selected if the alternative is an interim measure that will become part of a total remedial action that will attain the ARAR.

Therefore, U.S. EPA approves the IROD and responsiveness summary for OU 3 pending incorporation of the above comments. U.S. DOE must revise the IROD incorporating the above comments and submit a signed copy to U.S EPA within thirty (30) days receipt of this letter.

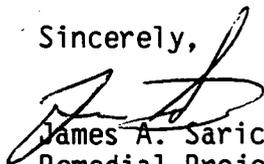
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to R-1339
(7824)



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

Sincerely,



James A. Saric
Remedial Project Manager
Technical Enforcement Section #1
RCRA Enforcement Branch

Enclosure

cc: Tom Schneider, OEPA-SWDO
Pat Whitfield, U.S. DOE-HDQ
Don Ofte, FERMCO
Jim Thiesing, FERMCO
Paul Clay, FERMCO

Comments on the "Operable 3 Proposed Draft Interim Record of Decision and
Draft Responsiveness Summary"

U.S. EPA Region 5 Radiation Section

May 1994

Commenting Organization: U.S. EPA, Radiation Section

Section #: 7.3 Page #: 20 Line #: 27 Code: C

Original Comment #: 1

Comment: It should be stated that all activities will be performed in compliance with the ARARs, rather than just health and safety regulations.

Response:

Action:

Commenting Organization: U.S. EPA, Radiation Section

Section #: 7.3 Page #: 22 Lines #: 25 & 26 Code: C

Original Comment #: 2

Comment: In general, it is not clear to the reader what materials are to remain on site for interim storage, what materials are to be shipped off-site to NTS, and exactly what this "10%" maximum waste volume limit applies to. For clarity, it would seem appropriate to have a table that illustrates the waste streams and where they would be managed or disposed off. Specifically on this line, clarify whether these "materials segregated for disposition off-site" are subject to the 10% maximum cap on the amount of wastes shipped off-site prior to the final remedial action ROD for OU3.

Response:

Action:

Commenting Organization: U.S. EPA, Radiation Section

Section #: 7.3 Page #: 24 Line #: 12 Code: C

Original Comment #: 3

Comment: It is stated that a maximum of 10 percent of all remediation wastes, by volume, generated by implementing Alternative 3 would potentially be shipped off-site. Is this "volume" the same as the "total bulked volume" indicated in Table 7-2, or some other volume such as one based on compacted/containerized volumes of material? Indicate whether the use of compaction and containerization will modify the actual volume of wastes shipped off-site under this "10%" maximum cap. Clarify when the exact volume based on 10% will be determined; if the "10%" is to be based on total volume, why not just state that a maximum amount of 3,480 cubic yards of remediation wastes will be shipped off-site prior to the final ROD.

Response:

Action:

Commenting Organization: U.S. EPA, Radiation Section

Section #: 7.3 Page #: 24 Line #: 12 Code: C

Original Comment #: 4

Comment: Please clarify in text what "remediation wastes" are, and state whether site-decontaminated materials that can be recycled/reused as-is are going to be considered waste.

Response:

Action:

Commenting Organization: U.S. EPA, Radiation Section

Section #: 7.3 Page #: 24 Line #: 30 Code: C

Original Comment #: 5

Comment: With "650 truck shipments" being mentioned, please indicate whether the rail lines on the FEMP will be utilized for shipping OU3 materials.

Response:

Action:

Commenting Organization: U.S. EPA, Radiation Section

Section #: 7.3 Page #: 25 Line #: 1 Code: C

Original Comment #: 6

Comment: Please state the intended design life of the proposed tension support structures.

Response:

Action:

Commenting Organization: U.S. EPA, Radiation Section

Section #: 7.3 Page #: 26 Line #: 5 Code: C

Original Comment #: 7

Comment: Please review and correct this sentence that discusses matters relating to a "worst-case interim storage situation."

Response:

Action:

Commenting Organization: U.S. EPA, Radiation Section

Section #: 7.3 Page #: 26 Line #: 22 Code: C

Original Comment #: 8

Comment: Please clarify what is meant by the statement "to ensure that nearby members of the general public are not *adversely* impacted;" define *adversely* as it relates to this statement. Something that should be ensured is compliance with ARARs, such as 40 CFR part 61, Subpart H, for the duration of remedial activities.

Response:

Action:

Commenting Organization: U.S. EPA, Radiation Section

Section #: 10.2.1

Page #: 37

Line #: 20

Code: M

Original Comment #: 9

Comment: The ARAR, *National Emission Standards for Hazardous Air Pollutants (40 CFR 61), Subpart H, National Emission Standards of Radionuclides Other than Radon from Department of Energy Facilities*, is applicable and should be listed as an applicable requirement rather than relevant and appropriate.

Response:

Action: