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**WORK PLAN - SCRAP METAL PILES REMOVAL ACTION 15 -
(RESPONSES AND ACTIONS ADDRESSING SPECIFIC COMMENTS)**

04/03/92

DOE-1308-92
DOE-FN EPAS
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RESPONSES

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Department of Energy
Fernald Environmental Management Project
 P.O. Box 398705
 Cincinnati, Ohio 45238-8705
 (513) 738-6357

APR 03 1992

DOE-1308-92

Mr. James A. Saric, Remedial Project Director
 U. S. Environmental Protection Agency
 Region V - 5HR-12
 230 South Dearborn Street
 Chicago, Illinois 60604

Mr. Graham E. Mitchell, Project Manager
 Ohio Environmental Protection Agency
 40 South Main Street
 Dayton, Ohio 45402-2086

Dear Mr. Saric and Mr. Mitchell:

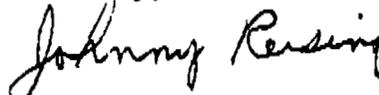
WORK PLAN - SCRAP METAL PILES REMOVAL ACTION NUMBER 15

The purpose of this letter is to transmit, for your review and approval, the revised Removal Action Work Plan for the Scrap Metal Piles. The revised work plan is accompanied by a set of responses and actions addressing each of the specific comments received from the United States Environmental Protection Agency (U.S. EPA) and the general concern with the lack of detail conveyed by the Ohio Environmental Protection Agency (Ohio EPA).

At the Program Managers' Meeting on Tuesday, March 31, the Department of Energy (DOE) advised the U.S. EPA and Ohio EPA that an extension for the submittal of the revised work plan was going to be requested. However, after additional consideration, DOE has decided that an extension would not be requested, and that the work plan would be revised and submitted for your review and approval. DOE requests that U.S. EPA approve this revised Removal Action Work Plan as a "programmatic" Removal Action Work Plan with the commitment that detailed Removal Action Project Plans will be provided to the U.S. EPA and Ohio EPA for review and approval for both phases I and II of this Removal Action prior to the initiation of any field activities.

If you or your staff have any questions, please contact Robert Janke at FTS 774-6883 or (513) 738-6883.

Sincerely,

for 
 Jack R. Craig
 Fernald Remedial Action
 Project Manager

FN:Janke

Enclosure: As Stated

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cc w/enc.:

J. J. Fiore, EM-42, TREV
K. A. Hayes, EM-424, TREV
J. Benetti, USEPA-V, AT-18J
M. Butler, USEPA-V, SCS-TUB-3
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T. W. Mahne, PRC
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R. L. Glenn, Parsons
D. J. Carr, WEMCO
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J. D. Wood, ASI/IT
J. E. Razor, ASI/IT
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RESPONSES TO REVIEW COMMENTS FOR
SCRAP METAL PILES REMOVAL ACTION NO. 15
WORK PLAN REVIEW COMMENTS

GENERAL COMMENTS

1. The removal action (RA) Work Plan does not detail the sampling approach, sampling procedures, or analytical or screening methods that will be used to characterize the scrap metal. Section 4.0 indicates that a project-specific sampling and analysis plan will be provided by the U.S. Department of Energy's (DOE) subcontractor before field activities are initiated. The sampling and analysis plan will then be reviewed and approved by DOE. However, an adequate sampling and analysis plan will be required before the U.S. Environmental Protection Agency's (EPA) approval.

RESPONSE: Since the disposition of the recoverable scrap metal and copper is being handled through a Request-for-Proposal (RFP) format (See Appendix B of the revised work plan for the RFP for phase I), which only details performance-type specifications for the subcontractors, the various contractor proposals received have shown a variety of technical approaches. Therefore until award of the contract to the successful bidder, more detailed Removal Action Project Plans (RAPPs) can not be made available. USDOE requests that USEPA approve this "programmatic" Removal Action work plan with the commitment from USDOE that the RAPPs will be provided to EPA for their review and approval after award of the respective contracts.

USDOE will provide the specific sampling and analysis plans of the successful subcontractors in the submittal of the detailed RAPPs to USEPA for their review and approval for both phases I and II of this Removal Action. The Removal Action work plan has been revised to reflect these added milestones.

2. DOE invokes the emergency response procedures of the National Oil and Hazardous Substance Pollution Contingency Plan (NCP), 40 CFR 300.415(b)(2), to justify conducting the RA on an expedited basis. This justification does not seem appropriate, considering the fact that DOE has not completed its removal site evaluation (RSE) for the site. It would be more appropriate to complete the RSE, initiate an action memorandum, then conduct the RA, a procedure DOE uses for other RAs.

RESPONSE: USDOE and USEPA jointly agreed upon this removal action in the Amended Consent Agreement negotiations. However, USDOE does not consider this an emergency response action. The objective of this Removal Action is to remove a potentially significant source term of hazardous substances at the FEMP site and document these interim actions to the Administrative Record.

A final review of the RSE is underway, and the RSE should be available by the end of April 1992. The findings of the RSE will be considered in the subcontractor's detailed RAPP.

RESPONSES TO REVIEW COMMENTS FOR
SCRAP METAL PILES REMOVAL ACTION NO. 15
WORK PLAN REVIEW COMMENTS

GENERAL COMMENTS (con't)

3. The RA work plan should include provision for providing reports to the EPA. Also, the RA work plan must include an interim data transmittal and a final RA report as a project deliverable. At a minimum, the interim data transmittal should include unvalidated data and any deviations or modifications to the RA work plan. At a minimum, the final RA work plan should include all validated data, a description of sampling locations, a description of sampling and removal activities, conclusions and recommendations (including a description of the limitations of the completed RA), and a description of any issues and their resolution during the RA or issues that may require additional investigation or RA outside of the scope of the RA work plan.

RESPONSE: The text of the Removal Action work plan has been revised to reflect the submittal of a final Removal Action Report following each phase of the proposed action. The final Removal Action report will include a summarization of all collected data and a discussion of the sampling and removal action activities. Interim progress reporting will be accomplished through the established Consent Agreement monthly reports.

4. Quality assurance (QA) criteria should be specifically referenced and should include the following: (1) data quality objectives; (2) analytical parameters and procedures; (3) QA objectives for quantitative limits, precision, accuracy, completeness, representiveness, and comparability; (4) calibration procedures and frequencies; (5) sample custody, preservation, containerization, and holding time procedures; (6) field QA sampling procedures and frequencies for trip blanks, field blanks, and field duplicates; (7) sampling network rationale and design; (8) internal quality control (QC) checks; (9) data reduction, validation, and reporting procedures; (10) system and performance audits; (11) preventative maintenance procedures; (12) specific routine procedures to assess data precision, accuracy, and completeness; (13) corrective action protocols; and (14) QA procedures to report to management.

RESPONSE: The detailed RAPPs will include Sampling and Analysis Plans and a discussion of the quality assurance criteria to be followed for each phase of the proposed action. As identified in the response to General Comment Number 1 the detailed RAPPs will be provided to USEPA for review and approval prior to initiation of field activities.

RESPONSES TO REVIEW COMMENTS FOR
SCRAP METAL PILES REMOVAL ACTION NO. 15
WORK PLAN REVIEW COMMENTS

GENERAL COMMENTS (con't)

5. The RA work plan schedule (Section 3.3) is contingent on EPA approval of the RA work plan before the subcontractor's submittal of key work-plan-related documents. The RA work plan must be complete document and specify the subcontractor, the subcontractors sampling methods, and the subcontractors procedures, before EPA can approve it.

RESPONSE: Since the disposition of the recoverable scrap metal and copper is being handled through a Request-for-Proposal (RFP) format (See Appendix B of the revised work plan for the RFP for phase I), which only details performance-type specifications for the subcontractors, the various contractor proposals received have shown a variety of approaches. Therefore until award of the contract to the successful bidder, more detailed RAPPs can not be made available. USDOE requests that USEPA approve this "programmatic" Removal Action work plan with the commitment from USDOE that the RAPPs will be provided to EPA for their review and approval after award of the respective contracts.

The text of the Removal Action Work Plan will be revised to reflect of the submittal of detailed RAPPs to the USEPA for review and approval prior to initiation of field activities.

Removal Action, section 2.0 - This work plan describes the proposed activities to implement the removal for the Scrap Metal Piles (Removal Action #15) at the FEMP. The disposition of the recoverable scrap metals (ferrous, non-ferrous and copper) constitute this removal action. This removal action is to be accomplished with the use of commercial services selected by the DOE; interested bidders submitted proposals based upon the Request for Proposal (RFP), which states the tasks involved in the removal action, issued by the DOE.

~~This work plan does not clearly state the means by which the removal action is to be implemented. The work plan states that the subcontractors for both phases of activities are to generate, for DOE approval, task specific work plans prior to beginning work on the FEMP site. Since the subcontractor-generated task specific work plans will contain significant information on the processing of roughly 7000 tons of scrap metal, with much of this metal being radiologically contaminated, these task specific work plans should also be approved by the USEPA and the Ohio EPA. The Removal Action Number 15 Work Plan should clearly state this if it is to be approved by the USEPA.~~

RESPONSE: The USDOE will revise the removal action work plan to incorporate USEPA's approval of the detailed RAPPs prior to the initiation of processing and disposition of both the recoverable scrap metal piles and scrap copper piles.

RESPONSES TO REVIEW COMMENTS FOR
SCRAP METAL PILES REMOVAL ACTION NO. 15
WORK PLAN REVIEW COMMENTS

SPECIFIC COMMENTS

1. Section 1.0, page 1, second full paragraph: To comply with NCP [40 CFR 300.415(a)(1)], the RSE should first be completed, and then an action memorandum should then be completed that determines the appropriate extent of action. If an RA is necessary, then the RA work plan should be finalized.

RESPONSE: USDOE and USEPA jointly agreed upon this removal action in the Amended Consent Agreement negotiations. The draft RSE has been completed, a final review is currently underway. The RSE and Action Memorandum should be available by the end of April 1992.

2. Section 1.3, page 5, fourth full paragraph: DOE states that "elevated uranium concentrations in fugitive airborne releases have been detected near the scrap metal piles." Analytical results for samples from Air Monitoring Location No. 9 are cited as evidence of release from the scrap metal piles. EPA notes that only one of the nine site area air monitoring locations (Air Monitoring Location No. 9) is close to the facility. This air monitoring location is also down gradient of other suspected site sources. It does not appear justified, at this time, to initiate an emergency response action based on air monitoring information that cannot be tied directly to the scrap metal piles. As noted above, the RSE should be completed and evaluated before initiating this RA.

RESPONSE: USDOE and USEPA jointly agreed upon this removal action in the Amended Consent Agreement negotiations. USDOE does not consider this an emergency response action. However, this Removal Action removes a known source term of hazardous substances at the FEMP site and documents the interim response to the Administrative Record. A final review of the RSE is underway, and the RSE should be available by the end of April 1992. The findings of the RSE will be considered in the development of the RAPPs.

RESPONSES TO REVIEW COMMENTS FOR
SCRAP METAL PILES REMOVAL ACTION NO. 15
WORK PLAN REVIEW COMMENTS

SPECIFIC COMMENTS (con't)

3. Section 1.4, page 7, first full paragraph: As noted in General Comment, No. 2, DOE invokes the emergency response criteria of the NCP to justify the RA. EPA notes that an RSE has been initiated and its findings should be evaluated before conducting the RA.

RESPONSE: USDOE evaluated the conditions of the scrap metal piles prior to recommending that the disposition of the recoverable scrap metal piles be included in the Amended Consent Agreement as Removal Action Number 15. Furthermore, USDOE and USEPA jointly agreed upon this Removal Action in the Amended Consent Agreement negotiations. USDOE does not consider this an emergency response action; however, the purpose of this removal action is to remove a known source of hazardous substances at the FEMP site and document the action to the Administrative Record. A final review of the RSE is underway, and the RSE should be available by the end of April 1992. The findings of the RSE will be considered in the development of RAPPs for each phase of the Removal Action.

4. Section 1.5, page 8, first full paragraph: DOE has not provided convincing evidence that the scrap metal piles are the "source term" for "unacceptable" exposure. DOE should indicate that the scrap metal piles are one potential source and either define "unacceptable exposure" or remove this term from the work plan.

RESPONSE: The text has been revised to indicate that the scrap metal piles are a potential contributor to the observed elevated readings in the selected air monitoring stations. Furthermore, the terminology "unacceptable" was removed from the text.

5. Section 2.0, page 8, fourth full paragraph: DOE should provide the specific criteria for determining unrestricted release of recovered metals.

RESPONSE: These criteria are established in DOE Order 5400.5, and are generally consistent with the standards of the NRC, Section 4, "Decontamination for release for unrestricted use" of Regulatory Guide 1.86. However, it is conceivable that a subcontractor could utilize more restrictive criteria. DOE Order 5400.5 is provided within the RFP for phase I which is provide as an attachment to the revised Removal Action work plan.

RESPONSES TO REVIEW COMMENTS FOR
SCRAP METAL PILES REMOVAL ACTION NO. 15
WORK PLAN REVIEW COMMENTS

SPECIFIC COMMENTS (con't)

6. Section 2.0, page 8, last paragraph: The scope of the RA is inadequately defined; it seems wholly contingent on responses to the request for proposal (RFP). DOE should more clearly define the scope of the RA.

RESPONSE: USDOE agrees that this Removal Action work plan does not fully specify the technical approach and details for the disposition of the recoverable scrap metal. However, USDOE requests that USEPA approve this "programmatic" Removal Action work plan with the commitment that the specific project plans (RAPPs) will be provided to the USEPA for their review and approval for both phases I and II prior to the initiation of any field activities. Again, the RFP has been provided as an appendix to the revised Removal Action work plan to provide EPA with a better understanding of the proposed Phase I activities. DOE will provide the Phase II RFP when it becomes available.

7. Section 2.1, page 9, fourth full paragraph: DOE states that the "subcontractor must be fully operational within 45 days after the contract is awarded." This schedule does not allow for EPA review and approval of proposed subcontractor's methods that include the work plan's scope of work and the site specific sampling plan.

RESPONSE: The requirement that the "subcontractor must be fully operational within 45 days after the subcontract is awarded" is contractual language to advise the subcontractors to allocate sufficient resources in their corporate planning to start this task at the direction of the USDOE and that mobilization delays will not be tolerated. This phrase was taken directly from Section C.4 of the RFP document.

The removal action work plan has been revised to require USEPA review and approval of the detailed project plans (RAPPs) submitted by the successful subcontractors after the contracts are awarded and prior to field implementation of the removal action.

USDOE has provided the RFP document for Phase I activities as an attachment to the revised Removal Action work plan for additional supporting documentation. DOE will provide the Phase II RFP when it becomes available.

RESPONSES TO REVIEW COMMENTS FOR
SCRAP METAL PILES REMOVAL ACTION NO. 15
WORK PLAN REVIEW COMMENTS

SPECIFIC COMMENTS (con't)

8. Section 3.3, page 13, first full paragraph: The schedule incorrectly presents work plan approval before award of the RFP and submission and review of subcontractor documents. Also, the schedule should include the delivery of a final RA report.

RESPONSE: The USDOE has revised the schedule within the Removal Action work plan, to include the submittal of a Removal Action final report and to indicate that, the detailed project plans (RAPPs) will be submitted to USEPA for review and approval prior to field implementation of the Removal Action.

9. Section 4.0, page 13, second full paragraph: As noted in General Comment No. 1, the sampling plan must be more detailed. It should, at a minimum, include sampling methods, rationale for target compounds, data quality objectives, the sampling approach and rationale, sample handling procedures, method detection limits, analytical methods, analytical laboratories, anticipated sample numbers and locations, and data quality procedures (and frequencies) for field duplicates, blanks, and matrix spikes.

RESPONSE: USDOE will provide the specific sampling and analysis plans of the successful subcontractor in the submittal of the detailed RAPPs. The Removal Action work plan has been revised to reflect this added milestone.

Page 4, section 1.2, para. 1 - Uranium concentrations of the copper ingots should at very least be roughly stated to offer insight on the difficulty in their disposition.

RESPONSE: USDOE will provide a rough estimate of the resulting range of uranium contamination levels within copper ingots made from the scrap copper pile in the Scrap Metal Piles Removal Action #15 Work Plan. Uranium concentrations within the copper ingots are estimated to be a maximum of 70 pCi/g.

RESPONSES TO REVIEW COMMENTS FOR
SCRAP METAL PILES REMOVAL ACTION NO. 15
WORK PLAN REVIEW COMMENTS

SPECIFIC COMMENTS (con't)

Page 4, section 1.2, definitions - When defining "HIGH-COUNT" and "LOW-COUNT," the full terms "HIGH-COUNT SCRAP METAL" and "LOW-COUNT SCRAP METAL" should be used with the stated definitions. Unless the instrumentation to detect alpha contamination is calibrated to a specific radioisotope, "disintegrations per minute" cannot be measured for that isotope. The general practice in measuring alpha contamination is to take measurements in "counts per minute" when a variety of contaminants are involved. The term "probe area" should be replaced with "window area" to clearly indicate the active part of the alpha detector. Further, the units used to state the window area should be shown in parentheses just as "dpm" is indicated.

RESPONSE: The text has been revised to reflect this comment.

Page 8, section 2.0, para. 3 - Since the DOE cannot presume all aspects of the submitted proposals, but can only conceptualize the aspects, the review process by a Source Evaluation Board should be detailed. It is important that the criteria for selecting the subcontractors is explained since the DOE is not clear as to what disposition methods are to be implemented, but only those methods which are to be emphasized.

RESPONSE: USDOE agrees that this Removal Action work plan does not fully specify the technical approach and details for the disposition of the recoverable scrap metal. However, USDOE requests that USEPA approve this "programmatic" Removal Action work plan with the commitment that the specific project plans (RAPPs) will be provided to the USEPA for their review and approval for both phases I and II prior to the initiation of any field activities. Again, the RFP has been provided as an appendix to the revised Removal Action work plan to provide EPA with a better understanding of the proposed Phase I activities. DOE will provide the Phase II RFP when it becomes available.

The specific scoring criteria used by the Source Evaluation Board is sensitive information at this time since subcontractor Best and Final Offers have yet to be evaluated. Generally, these criteria score the subcontractors responsiveness in environmental terms, management capabilities, utilization of BDAT, period of performance, quality program, and cost.

Section L (L.22 - L.25) of the RFP list the specifics requested from the offerors for inclusion in the proposals. USDOE has provided the RFP document as an appendix to the revised removal action work plan as additional supporting documentation.