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U-003-504 .2

**APPROVAL OF THE DRAFT OU 1 RECORD OF DECISION**

12/22/94

USEPA      DOE-FN  
5  
COMMENTS



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

PERMITS  
DEC 22 9 02 AM '94  
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REPLY TO THE ATTENTION OF:

DEC 22 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 the Draft OU 1  
Record of Decision

Dear Mr. Craig:

The United States Environmental Protection Agency (U.S. EPA) has completed its review of the Draft Operable Unit (OU) 1 Record of Decision (ROD)/ Responsiveness Summary (RS). The ROD adequately presents the alternative descriptions, the comparative analysis of alternatives, and follows U.S. EPA guidance. However, U.S. EPA has a few comments that must be addressed.

Therefore, U.S. EPA approves the Draft OU 1 ROD/RS provided the remedy is implemented as described and pending incorporation of responses to the attached comments into the document. U.S. DOE must incorporate these responses and submit a signed final document within thirty (30) days receipt of this letter. U.S. DOE should submit, by facsimile, responses and changed pages to U.S. EPA prior to submitting the final ROD.

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

Enclosures

cc: Tom Schneider, OEPA-SWDO  
Jack Baublitz, U.S. DOE-HDQ  
Don Ofte, FERMCO  
Jim Theising, FERMCO  
Paul Clay, FERMCO

*(Hoje/LOJ)  
Partial  
ACTION RESPONSE  
TO G-LINE  
(3450)*

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION V

CM-29A

MEMORANDUM

SUBJECT: November 1994 Proposed Draft Record of Decision  
for Remedial Actions at Operable Unit 1

FROM: Brian A. Barwick  
Assistant Regional Counsel

TO: James A. Saric  
Remedial Project Manager

I have reviewed U.S. DOE's November 1994 Proposed Draft Record of Decision for Remedial Actions at Operable Unit 1 (OU 1) and have the following comments:

1. On pages 10-6 and 10-7, DOE states that on-site disposal of OU 1 wastes is inappropriate. However, we know that on-site disposal of other wastes is being considered. DOE should discuss the special characteristics of OU 1 waste which render it inappropriate for on-site disposal.
2. Assuming Enviro-Care and NTS disposal sites are presently in compliance with the Off-Site Rule, what actions will DOE take should the facilities' compliance status change in the future?
3. If Technical Assistance Grant (TAG) money has been provided to the community (i.e., FRESH), DOE should mention that in the section entitled 3.0 Community Participation.
4. Page 3.3, third paragraph of the ROD indicates that the public comment period for the proposed plan ran from August 10, 1994, to September 8, 1994; however, the NCP requires that the lead agency shall, "Provide a reasonable opportunity, not less than 30 calendar days, for submission of written and oral comments on the proposed plan..." (See 40 CFR § 300.430(f)(3)(i)(C).) It appears that the public comment period was only 28 calendar days. Is this correct?

- 2 -

5. In the discussions in sections 7.2.2 and 7.2.3, the on-site disposal alternatives for this ROD state that the waste will be treated to minimum treatment standards that "resist contaminant leaching and meets or exceeds regulatory standards." DOE should expand this discussion.
6. With respect to the removal actions conducted at the site of OU 1, the administrative record for this OU should cross-reference the administrative record indices for the earlier removal actions.
7. DOE should run a check for acronyms; a lot of acronyms are defined more than once in this document (e.g., EPA, DOE, NTS, FEMP, CERCLA, RCRA, NCP, ARAR, TBC).
8. For this, and other final RODs, DOE should supplement the OU specific administrative record with a list of any guidance used in preparing the ROD. For example, the references listed on page R-1 should be included in the Administrative Record. Since DOE uses guidance which is applicable to all of its RODs, it may be possible to assemble a list of this guidance and routinely incorporate it into each administrative record.

If you have any questions, please call me at 6-6620.



develop these estimates, and how old was the data?" In discussing vitrification as a potential technology for remediation of OU1, U.S. DOE does not directly address the cost estimate issues raised by the commentor. Specifically, in its response to the commentor, U.S. DOE should specify the type and age of the data used to develop the cost estimates as requested by the commentor.