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U-003-507 .1

**APPROVAL FOR DISPOSAL OF FERNALD LOW-LEVEL RADIOACTIVE
WASTES FROM OPERABLE UNIT 1 AT A COMMERCIAL DISPOSAL
FACILITY - (USED AS A REFERENCE IN OU1 DROD)**

11/08/94

EM-331
DOE-HQ
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MEMO

DOE-EM40

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DEPT OF ENERGY

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M-931
BFG 07-90

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United States Government

Department of Energy

memorandum

DATE: NOV 08 1994

REPLY TO
ATTN OF: EM-331

SUBJECT: Approval for Disposal of Fernald Low-Level Radioactive Wastes from Operable Unit 1 at a Commercial Disposal Facility

TO: John E. Baublitz, EM-40
Deputy Assistant Secretary for Environmental Restoration, EM-40

This memorandum grants the May 21, 1993, request (R. P. Whitfield to Deputy Assistant Secretary for Waste Management, EM-30) for an exemption from Department of Energy (DOE) Order 5820.2A policy that DOE low-level waste be disposed of at a DOE site. This approval is being granted after consultation with the Office of the Assistant Secretary for Environment, Safety and Health (EH-1), as required by DOE Order 5820.2A. This exemption allows Fernald to dispose of the wastes described in the exemption request, approximately 640,000 cubic yards, resulting from the remediation of the waste pits in Operable Unit 1.

The following conditions apply to this exemption:

- 1) A review/audit of the commercial facility will be conducted by your staff confirming its regulatory status and compliance history. If there is a continuing use of the facility, this review/audit should be conducted annually and documented. Alternatively, reference to a similar effort by another DOE entity may be provided.
- 2) Waste shipments shall be accurately characterized prior to shipment and the radionuclides and corresponding concentrations are verified to be within the limits of the license(s) held by the disposal facility.
- 3) Appropriate procurement or contracting documents will be prepared for waste disposal services. Full and open competition is always preferred; however, compliance with applicable requirements for awarding a contract without full and open competition will be acceptable.
- 4) Appropriate environmental documentation under the National Environmental Policy Act shall be prepared for remediation activities. For a proposed action, the documentation shall consider (at a minimum) waste disposal at a DOE site, any available in-State site, and at qualified and available commercial facilities.
- 5) It must be documented that the appropriate compact or State was notified of the shipments and has no objection to the acceptance of DOE waste at the disposal facility.

OPTIONAL FORM 99 (1-90)

FAX TRANSMITTAL

of pages = 2

| | |
|---------------------------|-----------------------------|
| To: <i>Sharon Plummer</i> | From: <i>Billy Schaefer</i> |
| Dept/Agency | Phone # |

| | |
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| Fax # <i>427-1858</i> | Fax # |
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- 6) Prior to the beginning of each shipment campaign, the Office of the Deputy Assistant Secretary for Waste Management, Office of Program Integration (EM-33), and the Office of the Deputy Assistant Secretary for Environmental Restoration (EM-40), shall be provided with waste shipment information such as waste type, total volume, type and concentration/activity levels of radionuclides present, and destination of the waste.
- 7) This exemption approval is not intended to authorize or encourage the land disposal of untreated hazardous or mixed wastes. Ensure that wastes are appropriately characterized to identify the presence of Resource Conservation and Recovery Act (RCRA) - regulated constituents. If RCRA waste is encountered during the remediation activities, it must be treated to the specified RCRA land disposal treatment standards prior to disposal.

If you have any questions regarding this exemption approval, please do not hesitate to contact Lee Stevens of my staff at 301-903-7138.

Mark W. Freier

Jill E. Lytle
Deputy Assistant Secretary
for Waste Management
Environmental Management

cc:

T. O'Toole, EH-1
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L. Stevens, EM-331
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