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AQUIFER RESTORATION STANDARD

04/17/95

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LETTER

DOE-FN



State of Ohio Environmental Protection Agency

Southwest District Office

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George V. Voinovich
Governor

April 17, 1995

RE: DOE FEMP
MSL #531-0297
HAMILTON COUNTY
AQUIFER RESTORATION STANDARD

Mr. Jack Craig
Director
U.S. DOE FEMP
P.O. Box 398705
Cincinnati, OH 45329-8705

Dear Mr. Craig:

Based upon recent conversations and our April 13, 1995 meeting, I am writing you concerning the State of Ohio's position regarding the appropriate regulatory standard for remediation of the Great Miami Aquifer contaminated by the DOE Fernald site. Our discussions have centered around the uranium groundwater cleanup/protection standard to be applied at Fernald. Two standards, 40 CFR 192 Health and Environmental Protection Standards for Uranium and Thorium Mill Tailings (30 pCi/l or 44 ug/l total U) and 40 CFR 141 Safe Drinking Water Act (proposed 20 ug/l total U), are at issue.

The State of Ohio's position is that the 40 CFR 141 proposed Maximum Contaminant Level (MCL) for total uranium of 20 ug/l is the most appropriate standard for guiding the Fernald site remediation. A number of reasons exist for our position on this issue including sole source aquifer use, protectiveness, and public acceptance. The Great Miami Aquifer (GMA), which underlies and has been contaminated by the Fernald site, has been designated a Class I Sole-Source aquifer by USEPA. The GMA is viewed by Ohio as a very valuable natural resource that must be restored to its full beneficial use (drinking water source). The useability and value of an aquifer is regulated and judged based upon a number of factors including contamination. The standard by which aquifer contamination is generally measured is by the MCL. The MCL is not just used by Ohio EPA to regulate the aquifer but is also used by others to judge its value and protectiveness. Since MCLs and proposed MCLs are the standards by which the GMA is judged by Ohio EPA, its users and potential users, we believe DOE must use the proposed MCL for uranium as the remediation standard in order to ensure that the GMA's restoration will be sufficient to provide for its potential maximum beneficial use as a drinking water source..

DOE has proposed a remediation of the GMA not based upon a lifetime cancer risk of 10^{-6} , but

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rather upon available groundwater standards. Ohio EPA agrees with this approach but further insists that the most protective standard must be used to guide the Fernald remediation. For the uranium conditions that exist at Fernald, the proposed MCL is obviously the more protective (approximately 1/2 the 40 CFR 192 uranium mass concentration) of the two standards.

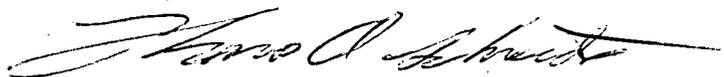
DOE and USEPA have signed and Ohio EPA has concurred with two final Records of Decision in which protection of the GMA to 20 ug/l was an essential element. Countless public meetings have been held during which the importance of the 20 ug/l standard (proposed MCL) has been emphasized. The Fernald Citizens Task Force has passed a recommendation calling for remediation and protection of the GMA to the Safe Drinking Water Standards. Ohio EPA believes any eleventh hour decision to change the standard by which the aquifer will be remediated could jeopardize the level of public acceptance which currently exists.

Finally, Ohio EPA has supported the remediation of the Fernald site under the "balanced approach", a site-wide plan for remediation which is protective and implementable. In order for Ohio EPA to support this approach the most contaminated waste must go off-site and the remediation/protection of the GMA must be based upon the proposed MCL for uranium which is 20 ug/l. Ohio EPA's support of the Fernald remediation, including the USEPA waiver of the siting criteria, is based upon remediation of the site under the "balanced approach." The "balanced approach" is truly a holistic package of concepts. DOE must maintain a commitment to the components of this package, if Ohio EPA is to continue support of the approach.

As you can see, the State of Ohio is committed to a remediation of the Fernald site which is protective of human health and the environment and that restores the GMA to its maximum beneficial use. Ohio asserts that this approach is both reasonable and achievable. We believe maximum beneficial use can only be achieved if the aquifer is remediated/protected to MCLs and proposed MCLs under the Safe Drinking Water Act.

If you should have any questions, please contact me at (513) 285-6466.

Sincerely,



Thomas A. Schneider
 Fernald Project Manager
 Office of Federal Facilities Oversight

cc:	Jim Saric U.S. EPA	Mike Proffit, DDAGW	Lisa Crawford, FRESH
	Jeff Hurdley, Legal/CO	Sharon McClellan, PRC	Gene Willeke, Miami U
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