

6977

U-007-407.16

OU5 PROPOSED PLAN - PUBLIC COMMENTS

06/15/95

OEPA DOE-FN
3
COMMENTS



State of Ohio Environmental Protection Agency

Southwest District Office

401 East Fifth Street
Dayton, Ohio 45402-2911
(513) 285-6357
FAX (513) 285-6249

FERNALD
I-2703
Jun 16 10 50 AM '95

FILE:

George V. Voinovich
Governor

June 15, 1995

RE: DOE FEMP
HAMILTON COUNTY
OU5 PROPOSED PLAN -
PUBLIC COMMENTS

Mr. Gary Stegner
Director, Public Information
U.S. DOE Fernald Area Office
P.O. Box 538705
Cincinnati, OH 45253-8705

Dear Mr. Stegner:

The purpose of this letter is to provide Ohio EPA's official comments on the Operable Unit 5 Proposed Plan during the public comment period. Ohio EPA's comments are as follows:

1. The OU5 Proposed Plan is the culmination of efforts by U.S. DOE, Ohio EPA, and U.S. EPA to understand and develop a plan for mitigating releases to the environment from OU5. Ohio EPA believes the alternative selected in the Proposed Plan is protective of human health and the environment. Ohio EPA believes the preferred alternative is the appropriate one, when considered in the context of overall site cleanup. Ohio EPA supports the concept of a balanced approach where the low volume high concentration wastes go off-site for disposal and high volume lower concentration wastes are disposed of in an engineered facility on-site. We believe that this approach provides the most implementable and protective strategy for remediation of the FEMP site.
2. The Operable Unit 5 Record of Decision (ROD) should clearly place restrictions on the use of the engineered on-site disposal facility. Ohio EPA understands the need to allow flexibility for incorporation of other operable units but also feels the following restrictions must be made in the ROD:
 - a) No disposal or long-term storage of off-site waste in the proposed engineered disposal facility or any other facility on the FEMP site;
 - b) The disposal facility Waste Acceptance Criteria (WAC) for Uranium-238 should be set at a maximum of 346 pCi/g or 1030 ppm for total uranium with the flexibility to be lowered based upon other operable unit decisions and volumes. The WAC must be an upper limit of concentration acceptable into the disposal facility and may not be used as an average limit.;
 - c) No characteristic hazardous waste should be disposed of in the facility.

PPFINAL.CMT

Mr. Stegner
June 15, 1995
Page 2

3. Ohio EPA supports DOE's use of the proposed MCL for total uranium of 20 ug/l as the groundwater remediation level. Ohio EPA believes remediation to this standard will ensure the Great Miami Aquifer is restored to its full beneficial use. Any proposed changes to the 20 ug/l total uranium remediation standard would necessitate a ROD amendment including a formal public comment period.
4. DOE should commit to being open to consider new technologies which may reduce the volume, toxicity or mobility of wastes being disposed of on-site. Ohio EPA is simply requesting that DOE remain open to the idea of additional technologies which may result in a safer waste form for on-site disposal.
5. During implementation of the preferred alternative, DOE must use excavation and waste management techniques which will prevent the dilution of waste concentrations to meet the WACs. DOE must not use dilution to meet the WAC or remediation levels.
6. DOE should commit to including and/or developing real-time monitoring for discharges to the environment resulting from remedial actions. DOE should attempt to incorporate any new developments in real-time monitoring from the DOE Office of Technology Development as well as the private sector. Data obtained from real-time monitors and any additional monitoring activities should be provided to the Ohio EPA and public in a timely manner.
7. DOE should attempt to incorporate pollution prevention activities whenever possible during the design and operation of the OU5 remedial action systems. All available methods to reduce or eliminate discharges and releases from the excavation and disposal activities should be considered during the design of the system.
8. DOE must ensure the public that their involvement will not be diminished during Remedial Design and Remedial Action (RD/RA). DOE should commit within the Record of Decision for OU5 to maintaining the exceptional on-going public involvement program during RD/RA.
9. DOE should make commitments within the OU5 ROD concerning perpetual government ownership of properties associated with the OU5 ROD. DOE must provide commitments to ensure the land-use employed to develop the cleanup standards is maintained into the future. DOE ownership is essential to maintaining institutional controls and limiting land-use to ensure protectiveness of the site.
10. With regard to the request for a USEPA waiver of the Ohio solid waste siting criteria,

Mr. Stegner
June 15, 1995
Page 3

Ohio EPA supports this waiver only in that it allows for a remedy more protective than capping in place and more implementable than off-site shipment. Since the DOE FEMP is a CERCLA site and its location would not allow issuance of an Ohio EPA exemption of the criteria, Ohio EPA believes a waiver is the appropriate mechanism to support the preferred alternative. Ohio EPA's support of the waiver is inherently tied to the restrictions described in comment #2 above.

If you have any questions concerning these comments please contact me at (513) 285-6466.

Sincerely,



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

cc: Terry Finn, Ohio AG
Jim Saric, USEPA
Terry Hagen, FERMCO
Lisa August, Geotrans
Sharon McLellan, PRC
Manger TPSS, OEPA/DERR
Jeff Hurdley, OEPA/Legal
Ruth Vandegrift, ODH