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U-004-504 .4

OPERABLE UNIT 2 RECORD OF DECISION CONCURRENCE LETTER

06/03/95

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APPROVAL

DOE-FN/DOE-OFO



State of Ohio Environmental Protection Agency

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George V. Voinovich
Governor

June 3, 1995

RE: U.S. DOE FEMP
OPERABLE UNIT 2
RECORD OF DECISION
CONCURRENCE LETTER

Mr. Valdas Adamkus
Regional Administrator
U.S. EPA Region V
77 West Jackson Boulevard
Chicago, Illinois 60604

Mr. Phil Hamric
Manager, Ohio Field Office
U.S. Department of Energy
P.O. Box 3020
Miamisburg, OH 45343-3020

Dear Mr. Adamkus & Mr. Hamric:

The Ohio Environmental Protection Agency (Ohio EPA) has received and reviewed the May 1995, final Operable Unit (OU) 2 Record of Decision (ROD) for the DOE FEMP Superfund Site in Hamilton County.

The OU2 ROD is the third of five final RODs to be completed for the five operable units at the FEMP. The OU2 ROD addresses the Solid Waste Landfill, the North and South Lime Sludge Ponds, the South Field, the Inactive and Active Flyash Piles, and berms, liners, and soils within the OU 2 boundaries.

The selected remedial action includes excavation of all material with contaminants exceeding established cleanup levels. The excavated materials meeting the on-property waste acceptance criteria will be disposed in an on-property, engineered disposal facility. All material exceeding the waste acceptance criteria will be disposed off-site. A maximum waste acceptance criteria of 346 picoCuries per gram of uranium-238 or 1,030 parts per million total uranium has been developed for the on-property disposal facility. An estimated 314,700 cubic yards of OU2 material will meet the waste acceptance criteria and be disposed in the on-property facility. Up to 3,100 cubic yards of material may exceed the waste acceptance criteria and be disposed off-site. The alternative includes continued federal ownership of the disposal cell and subunits. DOE will dispose of no off-site waste in this disposal facility. A USEPA waiver of Ohio Solid Waste Disposal Regulations for disposal over a sole source aquifer and 100 gallons per minute aquifer are a part of this Record of Decision.

The estimated present worth cost of the selected interim remedy is \$105,900,000 in 1994 dollars. The remedial action is estimated to take five years to implement.

Ohio EPA concurs with the selected remedial action, finding it to be protective of human health

Mr. Adamkus & Mr. Hamric
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and the environment, reasonable and achievable. Ohio EPA feels strongly about several issues which DOE should address during implementation of the selected remedial action:

- * DOE must exclude the following wastes from on-site disposal: 1) any off-site wastes; 2) any wastes exceeding waste acceptance criteria; 3) any characteristic hazardous waste.
- * DOE must use excavation techniques and waste management techniques which will prevent the dilution of waste concentrations to meet the waste acceptance criteria.
- * Real-time monitoring for discharges/emissions should be used to the maximum extent possible during remedial actions. DOE should incorporate new developments in real-time monitoring during implementation of the remedy. Data from this monitoring should be provided to the Ohio EPA and public in a timely manner;
- * Pollution prevention activities should be incorporated into the design and implementation of the selected remedial alternative. All available methods to reduce or eliminate discharges from excavation and disposal activities as well as any treatment systems should be considered during the design of the system;
- * Finally, DOE must maintain the high level of public participation and community involvement currently present at the FEMP throughout the Remedial Design and Remedial Action.

Ohio EPA believes DOE, USEPA, and the local community are committed to seeing these issues addressed within the Remedial Design and Remedial Action.

The Ohio EPA's concurrence with the remedy selected for this operable unit should not be construed as agreement with the provisions of Section 10.6 of the Record of Decision regarding the irreversible or irretrievable commitment of natural resources at the site.

Ohio EPA supports the Operable Unit 2 Record of Decision and looks forward to DOE's expeditious implementation of the selected remedial action.

Sincerely,



Donald R. Schregardus, Director
Ohio Environmental Protection Agency

DRS/tas

cc: Jeff Hurdley, OEPA/Legal
Terry Finn, AGO
Jim Saric, USEPA
Jack Craig, USDOE

Ruth Vandegrift, ODH
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Lisa Crawford, FRESH
Tom Schneider, OFFO