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DRAFT NPDES PERMIT NO. 11000004*ED COMMENTS

09/12/95

C:EC:95-0122
FERMCO OEPA
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PERMIT



Restoration Management Corporation

P.O. Box 398704 Cincinnati, Ohio 45239-8704 (513) 738-6200

September 12, 1995

Fernald Environmental Management Project
Letter No. C:EC:95-0122

Mr. Mark B. Enochs
Division of Surface Water
Ohio Environmental Protection Agency
P. O. Box 1049
Columbus, Ohio 43216-1049

Dear Mr. Enochs:

DRAFT NPDES PERMIT No. 11000004*ED COMMENTS

Reference: Letter, Mark B. Enochs, OEPA to Terence D. Hagen, FERMCO, "Draft NPDES Permit No. 11000004*ED Comments," dated September 6, 1995

I have received your response to my comments, submitted on behalf of the U.S. Department of Energy - FEMP, on the referenced permit. In the final sentence of your letter you indicate that "Ohio EPA is intent on issuing the draft permit by September 22, 1995." Please clarify the dates that the draft permit and the final permit will be issued and the corresponding deadlines for requesting a hearing before the Director and appeal to the Ohio Environmental Board of Review.

As has been indicated in conversations between OEPA and members of my staff, the FEMP has significant concerns about the stormwater monitoring requirements originally described in the proposed permit and in OEPA's response to our comments. I have been briefed on a September 12 conversation between Frank Johnston of my staff and Jay Richie of OEPA-SWDO. In this conversation, Mr. Richie indicated that OEPA would be willing to accept monthly monitoring of the four stormwater outfalls rather than the "per discharge" monitoring proposed in the draft permit. The FEMP is encouraged by this proposal and greatly appreciate your willingness to consider our concerns. We remain anxious to reach a final, mutually agreeable resolution of our concerns, as well as those of OEPA, before the permit is issued. A key factor in developing such an agreement is our ability to reach an understanding of the concerns forming the basis for OEPA's proposed requirements, as well as our ability to adequately communicate to OEPA the FEMP's concerns with the original proposed requirements and issues potentially related to the state's alternate proposal. For these reasons, the FEMP requests a meeting with OEPA. Because of the proposed September 22 issuance date, we suggest a meeting on September 15, 1995. In order that OEPA representatives may have the opportunity to view the sites proposed for monitoring, we suggest that the meeting be held at the FEMP.

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Again, your willingness to work cooperatively with us to reach a final resolution is greatly appreciated and we look forward to meeting with you. If you have any questions, please contact Frank Johnston at (513) 648-5294.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'Terence D. Hagen', is written over the word 'Sincerely,'.

Terence D. Hagen
 Director
 Environmental Compliance

TDH:SMB:mhv

- c: S. M. Beckman, FERMCO
- R. V. Holmes, FERMCO
- F. L. Johnston, FERMCO
- W. J. Quaider, DOE-FN
- J. Richie, OEPA-SWDO
- E. P. Skintik, DOE-FN
- AR Coordinator
- File Record Storage Copy 108.13