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**RESPONSE TO 10-30-95 LETTER, R. GOODWIN TO J. REISING,
T. SCHNEIDER & J. SARIC**

10/23/95

**OEPA ODH
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RESPONSE**



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

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FILE: _____

George V. Voinovich
Governor

LIBRARY _____

October 23, 1995

RE: 10/3/95 LETTER, R.GOODWIN
TO J.REISING, T.SCHNEIDER &
J.SARIC

Mr. Ronald R. Goodwin
Bureau of Radiation Protection
Ohio Department of Health
246 North High Street
P.O. Box 118
Columbus, Ohio 43266-0118

Dear Mr. Goodwin:

I am writing this letter in response to your October 3, 1995 letter to Mr. John Reising, Mr. Tom Schneider, and Mr. James Saric concerning U.S. DOT exemption requirements and shipments of structural steel from the U.S. DOE Fernald site for treatment. Hopefully some additional clarification provided in this letter will resolve the issue and prevent future issues from arising in such a manner.

The contaminated structural steel shipped from Fernald to Alaron and the returned portion were not shipped under U.S.DOT exemption E-10656, but were shipped in accordance with U.S.DOT Regulations for Hazardous Materials as delineated in 49CFR173(I). Since the material was not shipped under the above referenced exemption, it is Ohio EPA's understanding that notification to ODH was not required by any of the parties mentioned in your letter. Thus, neither Ohio EPA, U.S.DOE nor U.S.EPA "...failed to notify the state of Ohio Department of Health..." as suggested in your letter. Additionally, it should be noted that the Ohio Department of Health, Bureau of Radiation Protection (Ms. Ruth Vandegrift) was on the distribution list for the original letter from U.S.DOE to U.S.EPA and Ohio EPA.

Finally, under the current MOU between Ohio EPA and Ohio Department of Health, Ohio EPA is designated the State's lead agency for Fernald related oversight. Further, under the MOU, coordination of communications with Fernald is encouraged. Such coordination with Ohio EPA in this case would have quickly eliminated your concerns regarding the aforementioned shipments. In the future, Ohio EPA encourages you to call if you have concerns over activities regarding the Fernald site. We commit to working with DOE to quickly resolve your concerns. Additionally, Mr. Jim Colleli of Ms. Vandegrift's staff is familiar with the activities at Fernald and may provide a valuable internal resource to you.

Mr. R. Goodwin
October 23, 1995
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If you have any questions regarding this letter or the Fernald project in general, please feel free to contact me at (513) 285-6466.

Sincerely,



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

- cc: Marcia Howard, ODH
- Ruth H. Vandegrift, ODH
- Robert Owen, ODH
- Johnny Reising, DOE-FN
- Jim Saric, USEPA
- Terry Hagen, FERMCO
- Graham Mitchell, OEPA
- Tom Winston, OEPA