

7428

G-000-104.203

NON-RENEWAL OF PERMITS TO OPERATE (PTOS) AT THE FERNALD ENVIRONMENTAL MANAGEMENT PROJECT (FEMP) - OEPA ID. NOS. 1431110128 P277, 9278, P279, P280, P281 AND P282

01/16/1996

**C:EC:96-007
FERMCO
3
LETTER**

HAMILTON COUNTY



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

January 16, 1996

Fernald Environmental Management Project
Letter No. C:EC:96-0007

Mr. Peter J. Sturdevant, Compliance Specialist
Air Quality Management
Hamilton County Department of Environmental Services
1632 Central Parkway
Cincinnati, Ohio 45210

Dear Mr. Sturdevant:

**NON-RENEWAL OF PERMITS TO OPERATE (PTOs) AT THE FERNALD ENVIRONMENTAL
MANAGEMENT PROJECT (FEMP) - OEPA ID. NOS. 1431110128 P277, P278, P279, P280,
P281 AND P282**

Reference: DOE-1769-93, Jack R. Craig to James A. Saric and Graham E. Mitchell, "Clean Water Act Section 404 and 401 Requirements for Advanced Wastewater Treatment (AWWT) Facility," dated April 27, 1993

We recently conducted a review of the Plant 8 Sump operations. This review confirmed that the Plant 8 Sump was identified in Ohio (water) Permit to Install 05-5722 as a component of the Advanced Wastewater Treatment (AWWT) facility.

As stated in the above referenced letter, it was agreed that the AWWT project constituted an on-site Comprehensive Environmental Response Compensation and Liability Act (CERCLA) response action pursuant to the Amended Consent Agreement. As such it was agreed that it was appropriate to utilize the exemption from administrative permit requirements provided by CERCLA Section 121e and Paragraph XIII of the Amended Consent Agreement for the AWWT.

Since the AWWT is viewed as a CERCLA response action, and the Plant 8 Sump is a component of the AWWT, the Plant 8 Sump operations are also CERCLA response actions.

Accordingly, we request that PTO renewal application P276, submitted in September 1995, be withdrawn. Also, renewal applications for the following air permits will not be submitted as they are all part of the Plant 8 Sump operations:

- | | | | | | | |
|------|------|------|------|------|------|------|
| P239 | P248 | P278 | P280 | P282 | T097 | T099 |
| P240 | P277 | P279 | P281 | T096 | T098 | |



Mr. Peter J. Sturdevant
Letter No. C:EC:96-0007
Page 2

A permit information summary is not required as the substantive requirements for the sump operations have been identified in the previously held permits. All non-administrative terms and conditions identified in those permits will be regarded as substantive requirements and will remain in effect during continued process operations.

Please contact Kip Klee of my staff at 648-5289 if you have any questions about the Plant 8 Sump operations.

Sincerely,

A handwritten signature in black ink, appearing to read "Terence D. Hagen", is written over a horizontal line.

Terence D. Hagen
Director
Environmental Compliance

TDH:KOK:mhv
Enclosure

c: With Enclosure

AR Coordinator

A&WP Files: P239, P240, P248, P276, P277, P278,
P279, P280, P281, P282, T096, T097, T098, T099
File Record Storage Copy 108.6

Without Enclosure

T. J. Arnold, FERMCO/MS61
S. M. Beckman, FERMCO/MS65-2
D. J. Carr, FERMCO/MS52-5
K. O. Klee, FERMCO/MS65-2
W. J. Quaider, DOE-FN/MS45
P. B. Spotts, FERMCO/MS65-2



Department of Energy
 Fernald Environmental Management Project
 P.O. Box 398705
 Cincinnati, Ohio 45239-8705
 (513) 738-6357

7-4 2428
 Thanks
 KM

APR 27 1993
 DOE-1769-93

REGULATORY
 COMPLIANCE SECTION
 APR 29 1 42 PM '93

Mr. James A. Saric, Remedial Project Director
 U.S. Environmental Protection Agency
 Region V - 5HRE-8J
 77 W. Jackson Boulevard
 Chicago, Illinois 60604-3590

Mr. Graham E. Mitchell, Project Manager
 Ohio Environmental Protection Agency
 40 South Main Street
 Dayton, Ohio 45402-2086

Dear Mr. Saric and Mr. Mitchell:

CLEAN WATER ACT SECTION 404 AND 401 REQUIREMENTS FOR ADVANCED WASTEWATER TREATMENT (AWWT) FACILITY

This letter documents our discussion of April 20, 1993 regarding wetlands issues associated with the Advanced Wastewater Treatment (AWWT) Facility project. As we discussed, a 1993 draft revision to the site-wide Jurisdictional Wetland Delineation has identified a very small area (0.08 acres) impacted by the AWWT project to be potential wetland. This area was not identified as a wetland by the 1990 Wetland Delineation.

As a result of our April 20 discussion, it was agreed that the AWWT project constitutes an on-site Comprehensive Environmental Response Compensation and Liability Act (CERCLA) response action pursuant to the Amended Consent Agreement. It was agreed that it is appropriate to utilize the exemption from administrative permit requirements provided by CERCLA Section 121e and Paragraph XIII of the Agreement. Please indicate your concurrence with this approach by signing below.

Enclosed is the permit information required by Paragraph XIII B of Amended Consent Agreement. The enclosure identifies the substantive requirements that would otherwise be imposed by an approved permit and describes how the requirements will be satisfied by the AWWT project.

If you or your staff have any questions, please contact Jack R. Craig at 513-648-3107 or Pete J. Yerace at 513-648-3161.

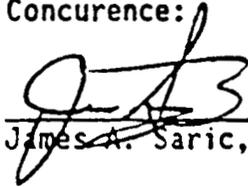
Sincerely,



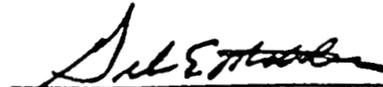
Jack R. Craig
Fernald Remedial Action
Project Manager

FN:Yerace

Concurrence:



James A. Saric, USEPA



Graham E. Mitchell, OEPA

Enclosure: As Stated

cc w/enc.:

J. J. Fiore, EM-42, TREV
K. A. Hayes, EM-424, TREV
B. Barwick, USEPA-V, SCS-TUB-3
G. Jablonowski, USEPA-V, AT-18J
J. Kwasniewski, OEPA-Columbus
P. Harris, OEPA-Dayton
M. Proffitt, OEPA-Dayton
T. Schneider, OEPA-Dayton
J. Michaels, PRC
L. August, GeoTrans
AR Coordinator, FERMCO

cc w/o enc.:

R. L. Glenn, Parsons
P. Clay, FERMCO/19
D. Dubois, FERMCO/65-2
J. W. Thiesing, FERMCO/2