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U-007-504.7

**SUBMITTAL OF OU 5 FINAL RECORD OF DECISION (PACKAGE
CONTAINS DECLARATION STATEMENT WITH SIGNATURES)**

02/01/96

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LETTER

DOE-FN



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY FERNALD

REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

LOG J-1031

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FILE: _____

REPLY TO THE ATTENTION OF: _____

FEB 0 1 1996

Mr. Johnny W. Reising
United States Department of Energy
Feed Materials Production Center
P.O. Box 398705
Cincinnati, Ohio 45239-8705

SRF-5J

RE: Submittal of OU 5
Final Record of Decision

Dear Mr. Reising:

This letter serves notification that the Regional Administrator of the United States Environmental Protection Agency (U.S. EPA), Region V has signed the Record of Decision (ROD) for Operable Unit 5 at the United States Department of Energy's Feed Materials Production Center.

Please submit five (5) copies of the ROD with the signed cover page to U.S. EPA within fourteen (14) days of receipt of this letter.

Please contact me at (312) 886-0992 if you have any questions.

Sincerely,

James A. Saric
Remedial Project Manager
Federal Facilities Section
SFD Remedial Response Branch #2

Enclosure

cc: Tom Schneider, OEPA-SWDO
Jack Baublitz, U.S. DOE-HDQ
Don Ofte, FERMCO
Terry Hagen, FERMCO
Charles Little, FERMCO
Michael Yates, FERMCO

(Saric's)
action response to
doc # 349-96 (9389)

DECLARATION STATEMENT

SITE NAME AND LOCATION

Fernald Environmental Management Project (FEMP), formerly the Feed Materials Production Center (FMPC) — Operable Unit 5

Hamilton and Butler Counties, Ohio

STATEMENT OF BASIS AND PURPOSE

This decision document presents the selected remedial action for Operable Unit 5 of the FEMP site in Hamilton and Butler Counties, Ohio. Operable Unit 5 consists of impacted environmental media including groundwater in the underlying Great Miami Aquifer, perched groundwater, surface water, soil, sediment, flora, and fauna.

This remedial action was selected in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act, as amended by the Superfund Amendments and Reauthorization Act of 1986 (hereinafter jointly referred to as CERCLA), and to the extent practicable, the National Contingency Plan, 40 CFR Part 300. The decision is based on the information available in the administrative record for this site.

The State of Ohio concurs with the selected remedy.

ASSESSMENT OF THE SITE

Actual or threatened releases of hazardous substances from Operable Unit 5, if not addressed by implementing the response action selected in this Record of Decision, may present an imminent and substantial endangerment to public health, welfare, or the environment.

DESCRIPTION OF THE SELECTED REMEDY

The selected remedy for Operable Unit 5 involves the excavation of contaminated soil and placement in an on-property disposal facility and the restoration of the Great Miami Aquifer to its full beneficial use. The selected remedy is comprised of the following major components:

- Excavation, using conventional construction equipment, of contaminated soil and sediment to the extent necessary to establish statistically, with reasonable certainty, that the concentrations of contaminants at the entire site are below final remediation levels.
- Excavation, using conventional construction equipment, of contaminated soil containing perched water that presents an unacceptable threat, through contaminant migration, to the underlying aquifer.
- Placement of contaminated soil and sediment, which attain concentration-based waste acceptance criteria, in an on-property disposal facility. Soil exhibiting contaminant concentrations exceeding the waste acceptance criteria (e.g., soil contaminated with organic constituents) will be treated before placement in the on-property facility or shipped off site for disposal at an appropriate commercial or federal disposal facility. Soil from six designated areas where a reasonable potential exists for the presence of characteristic waste (as defined by the Resource Conservation and Recovery Act) will be treated, as needed, before disposition. No off-site waste will be disposed of in the on-property disposal facility. Emergent technologies are being retained as potential options for treating soil to meet the on-property waste acceptance criteria. Retaining emergent technologies is appropriate due to the uncertainty of the long-term availability of off-site disposal capacity.
- Extraction of contaminated groundwater from the Great Miami Aquifer to the extent necessary to provide reasonable certainty that final remediation levels have been attained at all affected areas of the aquifer.
- Treatment of contaminated groundwater, storm water and wastewater to the extent necessary to attain performance-based concentration discharge limits, mass-based discharge limits, and final remediation levels in the Great Miami River.
- Application of institutional controls, such as access controls, deed restrictions, and alternate water supplies, during and after remedial activities to minimize the potential for human exposure to site-introduced contaminants and ensure the continued protection of human health.
- Implementation of a long-term environmental monitoring program and a maintenance program to ensure the continued protectiveness of the remedy, including the integrity of the on-property disposal facility.

Operable Unit 5 is one of five operable units at the FEMP. Operable Unit 5 addresses the environmental media at the site and beyond the property line contaminated by releases from the four source operable units at the facility. The source operable units contain the principal threat at the site; Operable Unit 5 is comprised of a large volume of contaminated soil and groundwater exhibiting relatively low concentrations of contaminants.

STATUTORY DETERMINATIONS

The selected remedy is protective of human health and the environment, complies with federal and state requirements that are legally applicable or relevant and appropriate to the remedial action (or justifies a CERCLA waiver), and is cost effective. The selected remedy uses permanent solutions and alternative treatment technologies to the maximum extent practicable. A U.S. Environmental Protection Agency waiver is required from Ohio solid waste disposal regulations to allow waste disposal over a high-yield sole-source aquifer. The waiver is granted pursuant to CERCLA 121(d)(4)(D) which allows a waiver of an applicable or relevant and appropriate requirement if "the remedial action selected will attain a standard of performance that is equivalent to that required under the otherwise applicable standard, requirement, criteria, or limitation, through the use of another method or approach." The justification for this waiver is provided in the Decision Summary of this record of decision and is supported by the administrative record for Operable Unit 5.

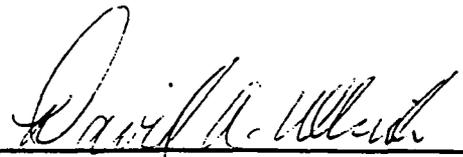
When coupled with the selected remedies for the other four FEMP operable units, the site-wide remedy satisfies the statutory preference for remedies that employ treatment that reduces toxicity, mobility, or volume as a principal element.

Because this remedy will result in hazardous substances remaining on site above health-based levels, a review will be conducted no less often than each five years after the commencement of remedial actions to ensure that the remedy continues to provide adequate protection of human health and the environment.



J. Phil Hamric
Manager, Ohio Field Office,
U.S. Department of Energy.

12/19/95
Date



Regional Administrator
U.S. Environmental Protection Agency Region 5

1/31/96
Date