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**WITHDRAWAL OF PERMIT TO OPERATE APPLICATIONS FOR
ANALYTICAL LABORATORY FACILITIES EXHAUST SYSTEMS -
FERNALD ENVIRONMENTAL MANAGEMENT PROJECT (FEMP)**

02/12/96

C:EC:96-0014
FERMCO HAMILTON COUNTY
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LETTER



Restoration Management Corporation

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

February 12, 1996

Fernald Environmental Management Project
Letter No. C:EC:96-0014

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

Dear Mr. Sturdevant:

WITHDRAWAL OF PERMIT TO OPERATE APPLICATIONS FOR ANALYTICAL LABORATORY FACILITIES EXHAUST SYSTEMS - FERNALD ENVIRONMENTAL MANAGEMENT PROJECT (FEMP)

- Reference:
1. DOE-276-92, R. E. Tiller to H. Schwietering, "Permit to Operate Applications for Analytical Laboratory Facilities Exhaust Systems - Fernald Environmental Management Project (FEMP)," dated November 8, 1991
 2. DOE-532-92, R. E. Tiller to M. Meder, "Permit to Operate Applications for Analytical Laboratory Facilities Perchloric Acid Hoods Ventilation Control System - Fernald Environmental Management Project (FEMP)," dated December 17, 1991
 3. DOE-1055-95, J. R. Craig to J. A. Saric, USEPA and T. A. Schneider, OEPA, "Compliance with Permit-Related Substantive Regulatory Requirements for Fernald Environmental Management Project Remedial Actions," dated June 12, 1995

Permit to Operate (PTO) applications for the FEMP Analytical Laboratory facility were submitted to your agency in References 1 and 2. At the time these applications were submitted, the major portion of the analyses conducted in the Analytical Laboratory were in support of "landlord", or site support activities. Review of current and anticipated activities in the facility, however, indicates that analytical work will be comprised of the following activities:

- Analysis of wastewater, stormwater, and groundwater samples in direct support of wastewater treatment and aquifer restoration actions implemented in accordance with to the Operable Unit 5 Record of Decision (ROD);



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- Analysis of waste materials for characterization and disposition as part of removal actions under the 1991 "Consent Agreement as Amended Under CERCLA Sections 120 and 106(a)" (ACA);
- Process control analyses, and waste characterization analyses during remediation activities conducted under the approved Operable Unit RODs, such as the operation of the Silo Vitrification Plant and the Waste Pit Remediation Facility;
- Analysis of filters from stack samplers and ambient air monitors to characterize the air emissions resulting from implementing the remedies selected in the RODs;
- Analysis of soil samples in support of design and construction activities under the RODs, such as design and construction of the Onsite Disposal Facility.

This evaluation indicates that current and anticipated activities conducted in the Analytical Laboratory Facility constitute, or are integral parts of, implementing remedies selected in the RODs.

In Reference 3, DOE-FN presented its position that "an air permit is not required for the construction, modification, or operation of any equipment, facility, or activity directly involved in implementing remedies selected in the ROD for OUs 1 through 5 or any removal actions." Both OEPA and USEPA subsequently approved the positions proposed in Reference 3. We therefore request, on behalf of DOE-FN, that the referenced PTO applications be withdrawn. The Analytical Laboratory Facility will continue to be operated in accordance with the substantive requirements described in the PTO applications.

If you have any questions, please contact Steve Beckman at 648-5264.

Sincerely,

A handwritten signature in black ink, appearing to read "Terence D. Hagen", is written over a large, stylized graphic element that resembles a signature or a large letter 'H'.

Terence D. Hagen
Director
Environmental Compliance

TDH:SMB:mhv

c: S. M. Beckman, FERMCO
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