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**SURVEILLANCE OF RCRA OPERATING RECORD FOR HWMU
INSPECTION REPORTS**

03/15/96

C:OP:96-0182
FERMCO OEPA
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LETTER



Restoration Management Corporation

P. O. Box 538704 Cincinnati, Ohio 45253-8704 (513) 648-3000

March 15, 1996

Fernald Environmental Management Project
Letter No. C:OP:96-0182

Mr. Paul D. Pardi, Group Leader
Division of Hazardous Waste Management
Ohio Environmental Protection Agency
401 East Fifth Street
Dayton, Ohio 45402-2911

Mr. Thomas A. Schneider, Fernald Project Manager
Office of Federal Facilities Oversight
Ohio Environmental Protection Agency
401 East Fifth Street
Dayton, Ohio 45402-2911

Dear Mr. Pardi and Mr. Schneider:

SURVEILLANCE OF RCRA OPERATING RECORD FOR HWMU INSPECTION REPORTS

FERMCO conducts an ongoing self-assessment program to verify our continued compliance with applicable environmental regulations at the Fernald Environmental Management Project. During the period February 16-21, 1996, a surveillance was performed to assess our compliance with RCRA requirements for the proper and timely inspection of Hazardous Waste Management Units (HWMUs), and for the retention in the RCRA Operating Record of inspection reports which are to be prepared and promptly filed following each HWMU inspection. The period for which these inspection records were reviewed was July 1, 1995 to early February, 1996. A copy of the report documenting findings from that surveillance has previously been transmitted to you.

Immediately upon completion of the surveillance, where potential deficiencies in the timeliness of inspections and/or the adequacy of recordkeeping were observed, FERMCO initiated actions to correct those deficiencies. The enclosure to this letter provides a summary of the findings reported, and the corrective actions that have been initiated.

FERMCO take very seriously our responsibilities for conducting all FEMP operations in compliance with applicable federal and Ohio regulations. The ongoing compliance verification program referenced above is an element of our overall program to find and correct any deviations from those regulations.

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Where deviations from Ohio environmental regulatory requirements are identified, FERMCO initiates prompt corrective actions. We will continue to inform Ohio EPA of significant findings and our actions to correct deficiencies.

Sincerely,

A handwritten signature in black ink, appearing to read "John C. Bradburne".

John C. Bradburne
President

JCB:TDH:mhv
Enclosure

c: J. R. Craig, DOE-FN
J. T. Curtis, FERMCO
T. D. Hagen, FERMCO
L. E. Parsons, DOE Contract Specialist
AR Coordinator
File Record Storage Copy 102.1

Enclosure**SURVEILLANCE OF RCRA OPERATING RECORD:
HWMU INSPECTION LOGS**

As part of the ongoing surveillance program to monitor the site's performance in meeting the requirements of applicable environmental regulations, the EC Compliance Verification Department performed a review of records stored in the RCRA Operating Record to determine that required periodic inspections of all hazardous waste management units (HWMUs) were being conducted, properly documented, and permanently retained in the Operating Record. The inspection, documentation, corrective action and retention activities are required by Ohio EPA regulations.

During the period February 16 to February 21, a comprehensive review of all HWMU inspection logs filed in the RCRA Operating Record and covering the period from July 1, 1995 to early February was performed. The review considered evidence that:

- (1) inspections were performed at the required frequency;
- (2) the information on each inspection log was complete, required signatures were present, and any deficiencies noted in the log had been corrected; and
- (3) the HWMU inspectors had completed required training.

The results of this surveillance effort were compiled and reported on February 22. The surveillance revealed that:

- (1) Some of the required inspection logs were not present in the Operating Record;
- (2) Some inspection logs were not thoroughly or properly completed to describe the compliance status of the unit;
- (3) Where deficiencies had been reported, follow-up documentation was not always noted to record the completion of corrective action;
- (4) Some of the logs contained signatures of inspectors for which no training records were available to document required training.

Although some inspection records were not present in the Operating Record, it should be noted that their absence does not necessarily indicate that the inspection had not been performed. However, the regulations do require that those inspections be documented and retained in the Operating Record.

In response to the findings from this surveillance, the following actions have been taken.

- On February 20, as soon as the nature of the deficiencies became evident, a meeting was held between the Compliance Verification Department and cognizant CERCLA/RCRA Department personnel to advise them of the findings. In addition, Senior Management was notified. Initial discussions concerning the need to notify Ohio EPA were held; a decision was made to proceed with implementation of corrective actions, deferring a final decision on the need to notify until the underlying cause of these deficiencies had been determined and addressed.

- Also on February 20, responsible management personnel in the Remedial Support Operations (RSO) Division, which conducts essentially all of the HWMU inspections, were notified of the surveillance findings.
- Compliance Verification prepared an improvement action plan, reviewed the plan with CERCLA/RCRA department personnel, and obtained RSO concurrence with this plan on February 23. Specific actions included: (1) initiating actions to locate missing inspection logs; (2) providing additional HWMU inspector training; and (3) initiating increased EC oversight of the HWMU inspection program implemented by the facility owners.
- On February 23, RSO conducted a meeting involving all facility owners responsible for HWMU inspections. Surveillance findings were provided to the facility owners, and a review of inspection requirements was presented. Facility owners were informed that the detailed surveillance findings would be provided to them by formal correspondence, and that they were responsible for initiating the appropriate corrective actions.
- A memorandum forwarding the detailed surveillance report was issued to HWMU facility owners on February 26, requesting that missing inspection logs be provided to Environmental Compliance by March 11, 1996. Environmental Compliance committed to compiling all inspection records with outstanding corrective action items and providing them to the facility owners. Facility owners were to document what follow-up actions had been taken to remedy the deficiencies noted on the inspection logs.
- Environmental Compliance re-emphasized to the FERMCO Training Department the need to accelerate HWMU inspection training.
- Finally, Environmental Compliance will monitor the status of these corrective actions to ensure they are adequately addressing the identified problems.

As of March 14, some -- but not all -- of the missing inspection records have been received. A significant number of the records are still outstanding. Efforts to retrieve records from any additional inspections that were performed but not recorded at the RCRA Operating Record are continuing.