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U-005-504.5

OU3 DRAFT RECORD OF DECISION - COMMENTS

07/24/96

OEPA DOE-FN
5
COMMENTS



State of Ohio Environmental Protection Agency

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George V. Voinovich
Governor

July 24, 1996

RE: DOE FEMP
MSL #531-0297
OU3 DRAFT RECORD OF
DECISION - COMMENTS

Mr. Johnny Reising
U.S. DOE FEMP
P.O. Box 398705
Cincinnati, OH 45329-8705

Dear Mr. Reising:

This letter provides Ohio EPA comments on the draft "Record of Decision for Remedial Actions at Operable Unit 3" submitted to EPA on June 28, 1996. The successful resolution of these comments is essential for Ohio EPA approval and concurrence with the Record of Decision.

If you should have any questions, please contact me at (513) 285-6466.

Sincerely,

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

cc: Jim Saric U.S. EPA
Terry Hagen, FERMC0
Ruth Vandegrift, ODH
Sharon McClellan, PRC
Manager TPSS, DERR/CO
Dave Ward, GeoTrans
Jeff Hurdley, Legal/CO

Handwritten notes and stamps at the bottom right of the page.

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for each material at the time of its intended generation, and will continue to evaluate recycling and reuse on a case-by-case basis within each D&D complex implementation plan."

Response:

Action:

- 5) Commenting Organization: Ohio EPA Commentor: OFFO
 Section #: Responsiveness Summary Pg #: A-16 Line #: 31-31 Code: M
 Original Comment #:
 Comment: As stated in a previous comment, please delete the sentence beginning "Oversize debris...".
 Response:
 Action:
- 6) Commenting Organization: Ohio EPA Commentor: OFFO
 Section #: DOE response #2e Pg #: A-19 Line #: 30 Code: c
 Original Comment #:
 Comment: Being "inconsistent with DOE guidance" may not be the most persuasive response to the comment. Ohio EPA suggests that the answer be restricted to the factual and logical reasons why an additional quantitative evaluation of human health risks is not being performed.
 Response:
 Action:
- 7) Commenting Organization: Ohio EPA Commentor: OFFO
 Section #: Responsiveness Summary Pg #: A-20 Line #: 23 Code: E
 Original Comment #:
 Comment: Typo: "vey".
 Response:
 Action:
- 8) Commenting Organization: Ohio EPA Commentor: OFFO
 Section #: Responsiveness Summary Pg #: A-30 to 31 Line #: Code: M
 Original Comment #:
 Comment: The response does not address the commentor's concern regarding potential successor agency commitment to the ROD (see pg. A-31, lines 4-6). DOE should add a paragraph discussion of how a potential successor agency would be committed to the ROD.
 Response:
 Action:

ARARs comments

- 9) Commenting Organization: Ohio EPA Commentor: OFFO
 Section #: Table B-1 Pg #: B-5 Line #: Code:

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Original Comment #:

Comment: It is unclear why OAC 3745-20-07(A)(C) has been cited as "applicable" in Table B-1, page B-5. This citation regulates inactive asbestos waste disposal sites. The following regulations are more applicable to OU3 activities. OAC 3745-20-06 sets standards for active asbestos waste disposal facilities.

OAC 3745-20-02(B)	Standards for demolition and renovation
OAC 3745-20-04(A),(C)	Demolition and renovation procedures for asbestos emission control
OAC 3745-20-05(B),(C)1-4	Standards for asbestos waste handling and labeling
OAC 3745-20-05(D)	Vehicle labeling
OAC 3745-20-05(E),(F),(G)	Standards for off-site shipping
OAC 3745-20-06	Standards for active sites that dispose of asbestos waste
OAC 3745-20-12	Standards for air cleaning

Response:

Action:

- 10) Commenting Organization: Ohio EPA Commentor: OFFO
 Section #: Table B-2 Pg #: B-9 Line #: Code:
 Original Comment #:
 Comment: The Ohio EPA can't find the reference to OAC 3745-27-09(Y) in Table B-2 page B-9. Please check the accuracy of this citation.
 Response:
 Action:
- 11) Commenting Organization: Ohio EPA Commentor: OFFO
 Section #: Table B-3 Pg #: B-16 Line #: Code:
 Original Comment #:
 Comment: OAC 3745-400-01(A) cited on Table B-3, page B-16 refers only to one definition of terms. A more appropriate reference is to OAC 3745-400-04 which allows the disposal of construction and demolition debris by landfilling.
 Response:
 Action:
- 12) Commenting Organization: Ohio EPA Commentor: OFFO
 Section #: Pg #: Line #: Code:
 Original Comment #:
 Comment: Please add the following action-specific ARARs to Table B-3:
 OAC 3745-17-02(A),(B) and (C) particulate ambient air quality standards applicable to both stacks and fugitive emissions
 OAC 3745-17-05 non-degradation policy for particulates
 OAC 3745-19-04 prohibits open burning in non-municipal areas

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OAC 3745-27-19(E)(30)(a)
Ohio Revised Code (ORC) 3767.13
ORC 3767.14
Response:
Action:

prohibits disposal of scrap tires in a sanitary landfill facility
prohibits noxious smells or the obstruction of waterways
prohibits disposal of refuse into surface waters or drains