

7839

U-005-504.8

**USDOE FEMP OPERABLE UNIT 3 RECORD OF DECISION
CONCURRENCE LETTER**

09/23/96

**OEPA
2
LETTER**

USEPA/DOE-OFO



State of Ohio Environmental Protection Agency

Southwest District Office

401 East Fifth Street
Dayton, Ohio 45402-2911
(513) 285-6357
FAX (513) 285-6249

Post-It* Fax Note	7671	Date	# of pages
To	Johnny Reising		From
Co./Dept.	DOE FN		Co.
Phone #			Phone #
Fax #	513 498 3076		Fax #

7839

I. Voinovich

RE: U.S. DOE FEMP
OPERABLE UNIT 3
RECORD OF DECISION
CONCURRENCE LETTER

Mr. William E. Muno
Director, Superfund Division
U.S. EPA Region V
77 West Jackson Boulevard
Chicago, Illinois 60604

Mr. Phil Hamric
Manager, Ohio Field Office
U.S. Department of Energy
P.O. Box 3020
Miamisburg, OH 45343-3020

Dear Mr. Muno & Mr. Hamric:

The Ohio Environmental Protection Agency (Ohio EPA) has received and reviewed the August 1996, final Operable Unit (OU) 3 Record of Decision (ROD) for the DOE FEMP Superfund site in Hamilton County.

The OU3 ROD is the final of five RODs to be completed for the five operable units at the FEMP. The OU3 ROD addresses the disposition of wastes generated by the remediation of the former production area.

The selected remedial action includes unrestricted/restricted release of materials, as economically feasible, for recycling, reuse, or disposal. The remedial action includes off-site disposal of selected process related materials and on-site disposal of building debris meeting the OSDF waste acceptance criteria. The alternative includes continued federal ownership of the disposal cell. DOE will dispose of no off-site waste in this disposal facility. A USEPA waiver of Ohio Solid Waste Disposal Regulations for disposal over a sole source aquifer and 100 gallons per minute aquifer are a part of this Record of Decision.

The estimated total cost of the selected remedy in net present-worth is \$71 million. The remedial action is estimated to take less than 10 years under the current 10-Year Plan to remediate the site.

Ohio EPA concurs with the selected remedial action, finding it to be protective of human health and the environment, reasonable and achievable. Ohio EPA feels strongly about several issues which DOE should address during implementation of the selected remedial action:

- * DOE must exclude the following wastes from on-site disposal: 1) any off-site wastes; 2) any wastes exceeding waste acceptance criteria; 3) those wastes specified within the ROD for off-site disposal; 4) characteristic hazardous wastes.
- * DOE must maintain its commitment to evaluating viable recycling and reuse measures for

Mr. Munro & Mr. Hamric

Page 2

all OU3 waste materials over the course of remediation at the site.

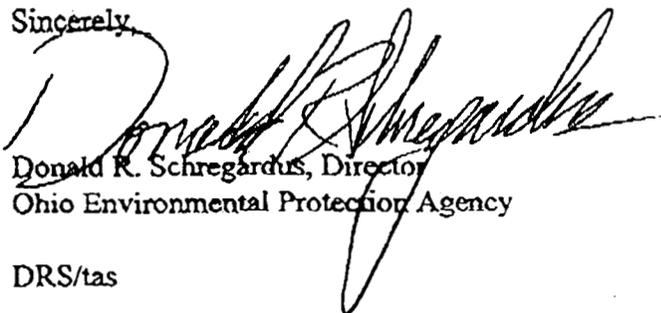
- * Real-time monitoring for discharges/emissions should be used to the maximum extent possible during remedial actions. DOE should incorporate new developments in real-time monitoring during implementation of the remedy. Data from this monitoring should be provided to the Ohio EPA and public in a timely manner;
- * Pollution prevention activities should be incorporated into the design and implementation of the selected remedial alternative. All available methods to reduce or eliminate discharges from treatment and disposal activities should be considered during the design of the system;
- * Finally, DOE must maintain the high level of public participation and community involvement currently present at the FEMP throughout the Remedial Design and Remedial Action.

Ohio EPA believes DOE, USEPA, and the local community are committed to seeing these issues addressed within the Remedial Design and Remedial Action.

The Ohio EPA's concurrence with the remedy selected for this operable unit should not be construed as agreement with the provisions of Section 9.6 of the Record of Decision regarding the irreversible or irretrievable commitment of natural resources at the site.

Ohio EPA supports the Operable Unit 3 Record of Decision and looks forward to DOE's expeditious implementation of the selected remedial action.

Sincerely,



Donald R. Schregardus, Director
Ohio Environmental Protection Agency

DRS/tas

cc: Jeff Hurdley, OEPA/Legal
Terry Finn, OAG
Jim Saric, USEPA
Tom Schneider, OFFO

Ruth Vandegrift, ODH
Jack Craig, USDOE
Lisa Crawford, FRESH
Manager TPSS, DERR