



State of Ohio Environmental Protection Agency

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FERNALD  
LCC D-05844  
Bob Taft, Governor  
Maureen O'Connor, Lt. Governor  
2003 FEB 18 10:19:38  
Christopher Jones, Director

February 14, <sup>2003</sup>2002

FILE: 6446.5g1

Mr. Johnny Reising  
U.S. Department of Energy, Fernald Area Office  
P.O. Box 538705  
Cincinnati, OH 45253-8705

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Re: **COMMENTS - Revised Draft Proposed Plan For OU4, Silo 3 Remedial Action**

Dear Mr. Reising:

Ohio EPA has reviewed DOE's submittal, "Revised Draft Proposed Plan For Operable Unit 4 Silo3 Remedial Action" received on December 17, 2002. Attached are our comments on the document.

If you have any questions, please contact me at (937) 285-6466.

Sincerely,

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

cc: Jim Saric, U.S. EPA  
Terry Hagen, FDF  
Mark Shupe, HSI GeoTrans  
Michelle Cullerton, Tetra Tech EM Inc.  
Ruth Vandergrift, ODH

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**OHIO EPA COMMENTS ON  
Silo 3 PP  
February, 2003**

1. Commenting Organization: Ohio EPA                      Commentor: OFFO  
Section #: General Comment      Pg #:                      Line #: na      Code: C  
Original Comment #:  
Comment: It's disappointing to note that DOE has not been able to achieve an agreement with NRC regarding the disposal of DOE-designated 11(e)2 material at Envirocare. The EPAs were under the impression that it was critical to DOE to receive this determination during the summer of 2002. Obviously this determination has a large impact on the cost and schedule for Silo 3 disposal. At this point it is unclear when or if DOE expects this determination and how it will affect the remedial design process. Unless DOE completes the agreement with NRC and Envirocare is able to accept the Silo 3 material prior to finalization of this ROD Amendment, DOE should just move forward with a Silo 3 design based upon disposal at NTS. This would mean that all necessary design and procurement should be initiated to implement NTS disposal.  
  
It seems most appropriate at this point to develop the Envirocare disposal option as a contingency of the proposed remedy rather than a part of the proposed remedy. As stated in Ohio EPA's comments on the original draft, we do not think its appropriate to include a disposal option in the remedy that is not currently viable.
2. Commenting Organization: Ohio EPA                      Commentor: OFFO  
Section #: General Comment      Pg #:                      Line #: na      Code: C  
Original Comment #:  
Comment: Based upon the new approach to treatment and the importance of the mock up testing in successful implementation of treatment, Ohio EPA expects the submittal of a mock up test plan and report as deliverables under the ROD.
3. Commenting Organization: Ohio EPA                      Commentor: OFFO  
Section #: Statutory Preferenc..      Pg #: 17                      Line #: na      Code: E  
Original Comment #:  
Comment: Insert "If" before "The treatment step cannot be satisfactorily implemented..."