

**RESPONSES TO U.S. EPA AND OEPA COMMENTS ON THE
PROPOSED PLAN FOR AN AMENDMENT TO
THE OPERABLE UNIT 1 RECORD OF DECISION
AT THE FERNALD CLOSURE PROJECT**

**FERNALD CLOSURE PROJECT
FERNALD, OHIO**

JULY 2003

U.S. DEPARTMENT OF ENERGY

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the 1999 cuts achieved in the A1PII area northwest of the old Sewage Treatment Plant. The 6-inch thickness cut was also achieved in the radium hot-spot area in A2PII in 2003. We are also required to routinely place at the 6-inch thickness level for clay liner construction in the OSDF. For the excavation planned in the WPRAP footprint, 6 inches will be the minimum cut that will be planned for, and therefore serves as a useful definitional and planning thickness for WPRAP. We do not feel we need to go to 1 foot as an acknowledged practicability limit for either excavation or placement, as suggested by the commentor. We do recognize that a good operator and accurate controls will be needed to achieve the 6-inch thickness, and have factored that into the planning.

Action: No change necessary.

Commenting Organization: Ohio EPA

Commentor: OFFO

Section#: Caps

Pg.#: 7

Line#: 2nd and 3rd paragraphs

Code: C

Original Comment# 4

Comment: The section should go into more detail regarding the intent of the cover system as developed in the OU1 FS/PP and ROD. This detail is necessary to help the reader understand the extent of the change being proposed. The reader needs to understand if the ROD intent was a cover as in landfill cover or cover as in topsoil and seeding. It will likely be necessary to have some topsoil cover placed in the waste pit area to facilitate restoration. This should be included in the last paragraph.

Response: Agree. Additional text has been added to clarify the status of this aspect of the remedy. In developing the response for this comment, we went back into the document history for Operable Unit 1 (including the FS, ROD, and RD Work Plan) to track the origin of the cover system; it was clear that the cover, which was a multi-layer 6.5 foot infiltration barrier similar to the OSDF cap in composition, was put into the Operable Unit 1 remedy at the time of the FS and ROD because final land-use based decision making under Operable Unit 5 was not yet complete, and final health protective soil cleanup levels (that would not require a multi-layer infiltration barrier) had not yet been identified. As long as the Operable Unit 1 excavation area is cleaned up to the point where the health-protective Operable Unit 5 cleanup levels are achieved, then the multi-layer infiltration barrier cover system is no longer necessary. It is also clear from the document trail that by the time the July 1995 Operable Unit 1 RD Work Plan was developed and approved, Operable Unit 5 decision making had been finalized to the point where the Operable Unit 1 RD Work Plan could acknowledge the position that site-wide decisions on restoration that were emerging from the Operable Unit 5 decision process would need to be applied within the footprints of the source control operable units as well. This has been the planning case ever since. As the final step, the January 2002 Natural Resource Restoration Plan (a site-wide document), fully encompasses the restoration needs within the source-control operable units (1, 2 and 4) as well as Operable Unit 5 once the health-protective Operable Unit 5 soil cleanup levels are achieved across all areas of the site. Hence, this concept is not new and is reflected in approved site documents beginning with the Operable Unit 1 RD Work Plan in 1995. However, we do feel the ROD Amendment should acknowledge that the cover system is no longer necessary, since the cover system is still mentioned in the original Operable Unit 1 ROD as a component. This will then allow the key ROD-based decision documents to remain current with the other approved documents and details that have emerged along the way. We have added additional text to this effect in the section noted by the commentor to clarify this issue.

Action: Revise the discussion concerning the cover system to reflect the above discussion, and show changes in redlined form.

Commenting Organization: Ohio EPA

Commentor: OFFO

Section#: Readers note

Pg.#: 5

Line#:

Code: C

Original Comment# 5

Comment: This paragraph is confusing. We think the main point is that this is the last time that the DOE thinks it will be necessary to change a soil FRL established in one of the RODs. We suggest re-writing this note and slightly change the emphasis so that it is clear that no more changes to FRLs are anticipated. Briefly list the previous changes, including changes to the groundwater FRLs. Conclude with a strong statement promising that no more changes will be made. We offer this suggestion because we are concerned that the stakeholders will feel that the remedy has been nickle and dimed to the point that it is no longer protective to the extent it was in the original RODs.

Response: Agree, and a similar issue was raised by U.S. EPA. Additional clarifying language has been added, along with a statement that no other ROD Amendments to revise soil cleanup levels in the source-control operable units (1, 2, and 4) are anticipated. We did not, however, feel we should be showing previous groundwater FRL changes within this document since they do not weigh in to the soil-based decisions at hand, and could confuse the public reader.

Action: Revise per the language as above, and show in redlined form.