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REPLY TO THE ATTENTION OF SR-6J

Mr. Glenn Griffiths
United States Department of Energy
Fernald Area Office
P.O. Box 398705
Cincinnati, Ohio 45239-8705

Subject: Submittal of Draft Record of Decision Amendment for Operable Unit 4, Silo 3 Remedial Action

Dear Mr. Griffiths:

The United States Environmental Protection Agency (EPA) has completed review of the above-referenced document (draft ROD Amendment), dated July 14, 2003, as well as DOE's responses to draft EPA comments, received via e-mail on July 31, 2003. The draft ROD Amendment documents the revision of the previous selected remedy for Silo 3 presented in the 1998 Explanation of Significant Differences document.

EPA found the draft ROD Amendment and comment responses to be adequate, although the necessary revisions have not yet been incorporated into the draft ROD Amendment. Therefore, EPA conditionally approves the draft ROD Amendment; please submit a signed ROD Amendment that incorporates the necessary revisions. EPA's comments on the draft ROD Amendment that were previously provided to DOE in draft are enclosed. If you have any questions or concerns, please contact me at (312) 886-4591.

Sincerely,

Gene Jablonowski
Project Manager
Federal Facilities Section
Superfund Division

Enclosure

cc: Tom Schneider, OEPA-SWDO
Johnny Reising, U.S. DOE-Fernald
Sally Robison, U.S. DOE-HDQ
Jamie Jameson, Fluor Fernald
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ENCLOSURE

U.S. EPA COMMENTS ON
"SILO 3 DRAFT RECORD OF DECISION AMENDMENT FOR OPERABLE UNIT 4"

FERNALD CLOSURE PROJECT

(Two Pages)

U.S. EPA COMMENTS ON "SILO 3 DRAFT RECORD OF DECISION AMENDMENT FOR OPERABLE UNIT 4"

FERNALD CLOSURE PROJECT

SPECIFIC COMMENTS

Commenting Organization: U.S. EPA Commenter: Jablonowski
Section #: 3.3 Page #: 3-2 Lines #: 25 to 27
Specific Comment #: 1
Comment: The text states that toxicity characteristic leaching procedure (TCLP) standards are "no longer necessary for purposes of maintaining long-term protectiveness and regulatory compliance with disposal facility waste acceptance criteria (WAC)." Based on the 1998 explanation of significant differences (ESD), the TCLP standards were adopted solely for the purpose of complying with the disposal facility WAC and not necessarily to achieve long-term protectiveness. Therefore, the text should be revised to state that the TCLP standards are no longer necessary for the purpose of maintaining regulatory compliance with disposal facility WAC.

Commenting Organization: U.S. EPA Commenter: Jablonowski
Section #; 4.1 Page #: 4-3 Lines #: 9 and 10
Specific Comment #: 2
Comment: The text states that "a system will be installed to add a liquid solution to dry the waste material as it enters the package." Because the purpose of the liquid solution is to agglomerate the waste by raising its moisture content, the phrase "to dry the waste material" is misleading. Therefore, the text should be revised to state that a system will be installed to add a liquid solution that will raise the moisture content of and agglomerate the waste material as it enters the package.

Commenting Organization: U.S. EPA Commenter: Jablonowski
Section #: 4.1 Page #: 4-4 Lines #: 14 and 15
Specific Comment #: 3
Comment: The text states that the criteria for addition of liquid additives to the waste material will consist of operational criteria applied in a best management practices approach. The text should be revised to state that the operational criteria and best management practices will be established based on mock-up test results.

Commenting Organization: U.S. EPA Commenter: Jablonowski
Section #: 5.1 Page #: 5-3 Lines #: 7 and 8
Specific Comment #: 4
Comment: The text states that a final waste profile must be submitted to the Nevada Test Site before the Silo 3 waste is shipped to the site. Since the Nevada Test Site has already reviewed and approved a waste profile for Silo 3 untreated waste, the text should be revised to clarify that a final waste profile must be

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submitted to the Nevada Test Site before treated Silo 3 waste is shipped to the site.

Commenting Organization: U.S. EPA Commenter: Jablonowski
Section #: 5.3 Page #: 5-4 Lines #: 19 to 24
Specific Comment #: 5
Comment: The text states that the incremental reduction in metal leachability provided by the previous remedy is "not significant relative to health based thresholds in that the mobility of non-radioactive metals in the incoming waste is already a consideration in the siting, design, and health-protective acceptance criteria for the receiving disposal facilities." This statement is confusing because it is not clear which health based thresholds are being referred to. Although the revised remedy may reduce metal leachability to a slightly lesser extent than the previous remedy, the Nevada Test Site WAC will still be met. Because the WAC are intended to be protective of human health and the environment, disposition of the Silo 3 waste material at this site will also be protective of human health and the environment. The text should be revised to clarify this point.

Commenting Organization: U.S. EPA Commenter: Jablonowski
Section #: 5.5 Page #: 5-7 Line #: Not Applicable (NA)
Specific Comment #: 6
Comment: This page contains a table summarizing the results of the transportation risk analysis. The table should be revised to clarify that rail shipment to "Ecare" is rail shipment to "Envirocare."

Commenting Organization: U.S. EPA Commenter: Jablonowski
Section #: B.2.1.1 Page #: B-3 and B-4 Line #: NA
Specific Comment #: 7
Comment: These pages present the Department of Energy's (DOE) response to public comment Number 1. The commenter expresses concern about the airborne release fraction (ARF) being representative of the highly dispersible Silo 3 material that originated from the rotary calciner. The response states that a conservative ARF of 0.01 was used in the transportation risk evaluation. The text should be revised to clarify if this ARF is sufficiently conservative to be representative of the Silo 3 material that came from the rotary calciner.

Commenting Organization: U.S. EPA Commenter: Jablonowski
Section #: B.2.1.1 Page #: B-5 and B-6 Line #: NA
Specific Comment #: 8
Comment: These pages present DOE's response to public comment Number 2. The response states that "the reported accident scenario doses and resulting ILCR attribute 99% of the dose to inhalation following an accident." The response text should be revised to refer to a specific section in the transportation risk evaluation or other supporting documents that summarizes how the calculations for dose and ILCR were performed.

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