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**RESPONSE TO OHIO ENVIRONMENTAL PROTECTION AGENCY COMMENTS ON
THE OPERABLE UNIT 1 REMEDIAL DESIGN PRELIMINARY DESIGN
RESPONSE TO COMMENTS PACKAGE**

03/05/96

DOE-0600-96
DOE-FN EPAS
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RESPONSES



Department of Energy

**Ohio Field Office
Fernald Area Office**

P. O. Box 538705
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MAR 05 1996

DOE-0600-96

**Mr. James A. Saric, Remedial Project Director
U.S. Environmental Protection Agency
Region V - SRF-5J
77 W. Jackson Blvd.
Chicago, IL 60604-3590**

**Mr. Tom Schneider, Project Manager
Ohio Environmental Protection Agency
401 East 5th Street
Dayton, OH 45402-2911**

Dear Mr. Saric and Mr. Schneider:

**RESPONSE TO OHIO ENVIRONMENTAL PROTECTION AGENCY COMMENTS ON THE
OPERABLE UNIT 1 REMEDIAL DESIGN PRELIMINARY DESIGN RESPONSE TO COMMENTS
PACKAGE**

The purpose of this letter is to transmit responses to the Ohio Environmental Protection Agency's (OEPA) comments on the Operable Unit 1 (OU1) remedial design preliminary design response to comments package. Action items of the responses will be incorporated into the Pre-final Design Packages scheduled to be submitted to both the U.S. Environmental Protection Agency (U.S. EPA) and the OEPA by March 21, 1996.

If you have any questions, please contact me at (513) 648-3127.

Sincerely,

**Johnny W. Reising
Fernald Remedial Action
Project Manager**

FN:Hall

Enclosure: As Stated

cc w/enc:

R. Nace, EM-423, GTN
G. Jablonowski, USEPA-V, SRF-5J
T. Schneider, OEPA-Dayton (3 Total)
Manager, TPSS/DERR, OEPA-Columbus
F. Bell, ATSDR
D. Ward, GeoTrans
R. Vandegrift, ODH
S. McLellan, PRC
ARI Coordinator, FERMCO

cc w/o enc:

D. Lojek, DOE-FN
T. Hagen, FERMCO, 65-2
C. Little, FERMCO, 2
M. Yates, FERMCO, 9
D. Zdelar-Bush, FERMCO, 52-1

1.) Commenting Organization: Ohio EPA Commentor: DSW
Section #: General Page#: Line#: Code: M
Original Comment #: 1

Comment: The following statement from DOE's response to this comment needs to be addressed:
"Erosion control will be consistent with U.S.D.A.-S.C.S. Water Management and Sediment Control for Urbanizing Areas Manual and the site SWPPP." The erosion control should follow the guidelines in the publication Rainwater and Land Development, Ohio's Standards for Stormwater Management and Stream Protection 1995, which replaces the manual that is referenced by DOE. Additionally, DOE should develop a SWPPP for this project which includes a monitoring component specific to the project and not reference a sitewide SWPPP.

Response: Comment Acknowledged.
Action: DOE will follow the guidelines set forth in *Rainwater and Land Development, Ohio's Standards for Stormwater Management and Stream Protection, 1995*. The text will be changed accordingly.

The Site-wide SWPPP, being developed as a condition of the existing site NPDES Permit, will address specific inspection and monitoring criteria applicable to all projects conducted at the site. The Permit-Information-Summary in the Design Criteria Document will be revised for the Pre-final Design Packages to identify the basic requirements mandated under the SWPPP; and to identify the appropriate design package that addresses that requirement.

2.) Commenting Organization: Ohio EPA Commentor: DHWM
Section#: Page#: Line#: Code: C
Original Comment #: 26, 27, 28

Comment: The Ohio EPA DHWM does not feel that DOE has adequately addressed the concerns raised in our original comments numbered 26, 27, 28. The DHWM is in contact with the appropriate DOE personnel regarding these issues, and is awaiting further explanation/justification related to DOE's response to these comments.

Response: Comment Acknowledged. This comment was the subject of a teleconference on February 21, 1996. The results of that call are incorporated into the following action.
Action: The concerns raised by the DHWM centered on whether OAC 3745-56 is applicable to the OU1 design features, specifically to the

processing feedstock piles. As documented in the OUI Record of Decision, OAC requirements for waste piles are applicable or relevant and appropriate requirements that must be addressed during remedial activities.

Applicable under CERCLA means those cleanup standards, standards of control, and other substantive environmental protection requirements, criteria, or limitations promulgated under Federal or state law that specifically address a hazardous substance, pollutant, contaminant remedial action, location, or other circumstance at a CERCLA site. DOE acknowledges that these regulations are applicable or relevant and appropriate requirements (ARARs) under CERCLA; hence, DOE will comply with the substantive requirements of these regulations as mandated. Therefore, to demonstrate compliance with the substantive requirements, the "Permit Crosswalk" contained in the Design Criteria Document will be revised for the Pre-final Design Packages to include the design requirements for waste piles per OAC 3745-56 and identify the appropriate design package that addresses the substantive intent of each requirement. The enhanced level of detail contained in the "crosswalk" will show explicitly how DOE will comply with the subject requirements.