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8411

**Department of Energy**

**Ohio Field Office  
Fernald Area Office**  
P. O. Box 538705  
Cincinnati, Ohio 45253-8705  
(513) 648-3155



JUN 27 1997  
DOE-1068-97

**Mr. James A. Saric, Remedial project Director  
U.S. Environmental Protection Agency  
Region V - SRF-5J  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590**

Dear Mr. Saric:

**EXTENSION REQUEST: OPERABLE UNITS 2 AND 5**

- References:
- 1) Letter from Johnny W. Reising to James A. Saric and Tom Schneider, "Operable Unit 2 Remedial Design Milestones," dated May 9, 1996, DOE-0879-96.
  - 2) Letter from James A. Saric to Johnny W. Reising, "OU2 Remedial Design Milestones," dated June 11, 1996.
  - 3) Letter from Johnny W. Reising to James A. Saric and Tom Schneider, "Modification to Final Remedial Design Work Plan for Remedial Actions at Operable Unit 2," dated July 11, 1996, DOE-1118-96.
  - 4) Letter from Johnny W. Reising to James A. Saric and Tom Schneider, "Rescheduling of the Operable Unit 2 Lime Sludge Ponds and Solid Waste Landfill Designs and Remedial Action Work Plans," dated January 23, 1997, DOE-0397-97.
  - 5) Letter from James A. Saric to Johnny W. Reising, "U. S. DOE Request for Extension of OU5 Soil Certification Milestones," dated March 7, 1997.
  - 6) Letter from Johnny W. Reising to James A. Saric, "Request for Extension - Operable Unit 5," dated February 28, 1997, DOE-0597-97.
  - 7) Letter from Johnny W. Reising to James A. Saric, "Department of Energy Concurrence RE: Extension Request for Operable Unit 5," dated March 14, 1997, DOE-0688-97.
  - 8) Letter from Johnny W. Reising to James A. Saric and Tom Schneider, "Transmittal of Site Preparation Plan for Area 2, Phase I Flyash Pile, Southfield and Active Flyash Pile (Southern Waste Units)," dated June 13, 1997, DOE-1069-97.

The purpose of this letter is to request the U. S. Environmental Protection Agency (U.S. EPA) approval to extend three milestones, two from Operable Unit (OU2) and one from Operable Unit 5 (OU5).

## Background

The final OU2 Remedial Design Work Plan (RDWP) (December 1995) established three design milestone dates to guide the development and completion of the design process for the OU2 Waste Units. The OU2 Waste Units are defined as the Southern Waste Units, the Lime Sludge Ponds, and the Solid Waste Landfill. The OU2 RDWP described the remedial design documentation strategy for the Waste Units to consist of three separate remedial design packages, called preliminary, pre-final, and final. Also, the OU2 RDWP established the corresponding submittal dates for the three discrete remedial design packages as May 28, 1996, October 22, 1996, and March 20, 1997.

Reference 1 recommended to EPA (convention used to refer to both the U.S. EPA and Ohio Environmental Protection Agency (OEPA)) the extension of the milestone submittal dates for the pre-final and final remedial design packages associated with the OU2 Waste Units. The preliminary design for the OU2 Waste Units was submitted on May 28, 1996. Reference 1 proposed that the submittal date to EPA for the pre-final design package be extended from October 22, 1996, until March 14, 1997, and the submittal date to EPA for the final design package be extended from March 20, 1997, until August 11, 1997. The U.S. EPA approved the Department of Energy's (DOE) request on June 11, 1996, (Reference 2). Concurrence from the OEPA was obtained on May 15, 1996. In Reference 3, as requested by the U.S. EPA, DOE finalized the OU2 RDWP schedule extension by providing a change page to the final OU2 RDWP.

Later, DOE recommended (Reference 4) to EPA that the pre-final and final design packages (including their associated pre-final and final Remedial Action Work Plans) for the individual components of the OU2 Waste Units be developed separately and aligned with their associated OU5 RDWP-defined soil remediation area. Recall, the OU5 RDWP, based on the 10-year or accelerated clean up plan for the Fernald Environmental Management Project (FEMP), defined the remediation of the site according to seven distinct soil remediation areas. The Reference 4 proposal sought to align the pre-final and final designs (including the associated Remedial Action documentation) of the Lime Sludge Ponds and Solid Waste Landfill with the submittals of the Area 3 and Area 6 Integrated Remedial Design Packages (IRDP), respectively. Similarly, with the U.S. EPA concurrence, Reference 4 recommended that the milestone dates established for the pre-final and final remedial design and remedial action work packages, March 14, 1997, and August 11, 1997, (previously defined for all the OU2 Waste Units) be redefined to represent only the Southern Waste Units component of OU2.

The Reference 4 proposal was in keeping with the overall soil remediation strategy for the FEMP since the Southern Waste Units (defined as the Active Flyash Pile, Inactive Flyash Pile and South Field Waste Area) of OU2 were also defined in the final OU5 RDWP as the Area 2, Phase 1 Soil Remediation Area. The final OU5 RDWP had established the milestone date of March 14, 1997, for the submittal of the Area 2, Phase I IRDP.

With the U.S. EPA concurrence on Reference 4, the lime sludge ponds will be incorporated into the IRDP for Area 3, which is scheduled to be submitted to EPA by July 2, 1998. More specifically, the Area 3 IRDP will include the pre-final design associated with the OU2 Lime Sludge Ponds. Additionally, the IRDP for Area 6 is scheduled to be submitted to EPA by

January 15, 2001. With EPA approval, the Area 6 IRDP will also include the pre-final design associated with OU2 Solid Waste Landfill. The Area 3 and Area 6 IRDPs will also include the necessary Remedial Action documentation to complete the necessary restoration activities. The draft Site-wide Excavation Plan may outline additional remedial design or remedial action activities and deliverables, but will maintain this design schedule.

**Schedule Extension: Operable Unit 2 and Operable Unit 5 Milestones**

On March 7, 1997, (Reference 5) the U.S. EPA concurred with the U.S. DOE's request (Reference 6) for extension of four soils remediation milestones. Reference 5 established the revised milestone date for the submittal of the Area 1, Phase I Certification Report to the U.S. EPA to be July 1, 1997, and established July 14, 1997, as the schedule date for the three remaining milestones, unless, on the basis of additional good cause, DOE could show that an alternative date was reasonable and justified. The three remaining subject milestones are listed below:

- Insitu Radiological Characterization Comparability Study (IRCCS)
- Sitewide Excavation Plan (SEP)
- Area 2, Phase I Integrated Remedial Design Package (A2PI IRDP)

In Reference 5, the U.S. EPA recognized July 14, 1997, as the revised milestone date for the above three documents; however, the U.S. EPA also acknowledged that "U.S. DOE may, on the basis of additional good cause, request that U.S. EPA amend that submission date again."

During the past three months numerous meetings and discussions have taken place between the DOE and EPA representatives. As evidenced through the establishment and discussions that have taken place between the Fernald Environmental Management Project (FEMP) and EPA representatives on the real-time radiological characterization work group, considerable progress has been made with respect to the use and demonstration of real-time radiological instrumentation at the site. Additionally, as evidenced through our substantive progress on developing the SEP excavation strategies and supported by the associated discussions that have taken place between the FEMP and EPA representatives on the SEP excavation strategies, true progress is being made. And, as a result, two (IRCCS and SEP) of the subject milestones will be submitted by July 14, 1997, consistent with the DOE concurrence letter (Reference 7) to the U.S. EPA concerning the three remaining milestones.

The DOE requests that the remaining milestone, submittal of the A2PI IRDP to EPA by July 14, 1997 (Reference 7), be extended until October 20, 1997. Additionally, DOE requests that the final design and Certified For Construction (CFC) package associated with the A2PI or Southern Waste Units (currently scheduled to be submitted to EPA by August 11, 1997, as discussed in the above background section) be extended to February 16, 1998. Pursuant to Section XVIII of the Amended Consent Agreement, good cause exists for these proposed schedule extensions because delaying the submittal of the A2PI IRDP will allow EPA and DOE to continue the alignment process and, hopefully, reach consensus on the complex technical issues that will be addressed in the SEP and the IRCCS prior to the submittal of

the A2PI. The delay of these documents allows DOE to receive and review EPA comments on the SEP and IRCCS prior to the submittal of the A2PI package to EPA for review and approval. Additionally, with the submittal of the A2PI Site Preparation Package (Reference 8) to EPA, the DOE will be initiating the necessary and time-constraining site preparation activities for the Southern Waste Units, thereby, minimizing any further schedule delays associated with their remediation.

In summary, the table below outlines the proposed design submittal dates to EPA for each of the OU2 Waste Unit components and their corresponding OU5 area-specific IRDP submittal dates. Upon EPA approval of this letter, an addendum to the final OU2 RDWP will be issued to formally modify the milestone schedule dates.

**SUMMARY OF PROPOSED OPERABLE UNITS 2 AND 5 DESIGN MILESTONES AND REVISED SCHEDULE DATES**

<u>OU2 Component and OU5 Area</u>	<u>Proposed OU2 Design and IRDP Submittal Dates</u>
Southern Waste Units and Area 2, Phase I	Pre-final Design (IRDP): October 20, 1997 Final Design: February 16, 1998
Lime Sludge Ponds and Area 3 IRDP Package	Pre-final Design (IRDP): July 2, 1998
Solid Waste Landfill and Area 6 IRDP Package	Pre-final Design (IRDP): January 15, 2001

If you should have any questions, please contact Robert Janke at (513) 648-3124.

Sincerely,



Johnny W. Reising  
Fernald Remedial Action  
Project Manager

FEMP:R.J. Janke

Enclosures: As Stated

## cc w/encs:

N. Hallein, EM-42/CLOV  
G. Jablonowski, USEPA-V, 5HRE-8J  
R. Beaumier, TPSS/DERR, OEPA-Columbus  
M. Rochotte, OEPA-Columbus  
T. Schneider, OEPA-Dayton  
F. Bell, ATSDR  
D. S. Ward, GeoTrans  
R. Vandegrift, ODOH  
R. Geiger, PRC  
D. Carr, FDF/9  
J. D. Chiou, FDF/52-5  
T. Hagen, FDF/65-2  
J. Harmon, FDF/90  
A. Hunt, FDF/52-5  
G. Jones, FDF/52-5  
AR Coordinator/78

## cc w/o encs:

C. Little, FDF/2  
EDC, FDF/52-7



**Department of Energy**

**Ohio Field Office  
Fernald Area Office**

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(513) 648-3155



MAY 09 1996

DOE-0879-96

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

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

Dear Mr. Saric and Mr. Schneider:

**OPERABLE UNIT 2 REMEDIAL DESIGN MILESTONES**

The approved Operable Unit 2 (OU2) Remedial Design Work Plan (RDWP) establishes the enforceable milestone dates for design deliverables associated with the OU2 remedy. Included are the milestones for design of the excavation of the OU2 waste units. The milestones for submittal of the Waste Unit Excavation Preliminary, Pre-Final, and Final Design Packages are May 28, 1996, October 22, 1996, and March 20, 1997.

The Fernald Environmental Management Project (FEMP) is proceeding in accordance with the above milestones and anticipates submittal of the preliminary design package for the waste unit excavation on schedule. In reviewing the site-wide schedule for remedial activities, the FEMP has identified what it believes is a potential opportunity to identify lessons learned and observations from field excavation activities for incorporation into the Pre-Final Waste Unit Excavation Design Package. Specifically, excavation is scheduled to begin in late Fiscal Year (FY) 1996 for Area 1 - Phase I remedial activities and the draft Site-Wide Excavation Plan will be submitted in October 1996. Lessons learned and relevant observations from this work could be incorporated into the pre-final design package and Waste Unit Remedial Action Work Plan (RAWP) without impacting the existing schedule for waste unit material placement into the On-Site Disposal Facility.

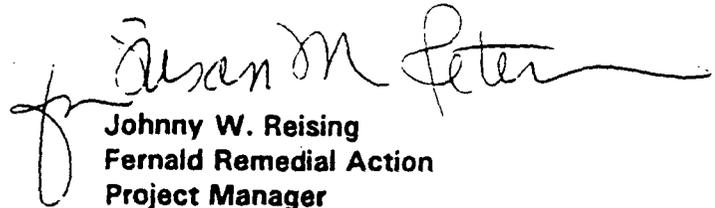
Accordingly, the FEMP is requesting your approval to revise the OU2 RDWP such that the submittal dates for the pre-final design package and draft RAWP are changed from October 22, 1996, to March 14, 1997, and the submittal dates for the final design package and final RAWP are changed from March 20, 1997, to August 11, 1997.

The changes to the RAWP schedules are requested to maintain proper alignment with the design packages. As stated above, these revisions will not impact the existing schedule of March 1998 for first placement of OU2 waste unit materials into the On-Site Disposal Facility.

Section 6.3 of the OU2 RDWP states that Remedial Action will commence upon issuance of a contract for construction of the primary waste haul road. Based on previous discussions, the Department of Energy, Fernald Area Office (DOE-FN) would like to clarify that the commencement of Remedial Action will instead be marked by the construction of the test pad, excavation of contaminated soil, and certification of the On-Site Disposal Facility footprint.

If you have any questions or wish to discuss this request, please contact Jay Jalovec at (513) 648-3122.

Sincerely,



Johnny W. Reising  
Fernald Remedial Action  
Project Manager

FN:Jalovec

cc:

R. L. Nace, EM-423/GTN  
R. J. Janke, DOE-FN  
R. D. Warner, DOE-FN  
G. Jablonowski, USEPA-V, 5HRE-8J  
Manager, TPSS/DERR, OEPA-Columbus  
F. Bell, ATSDR  
D. S. Ward, GeoTrans  
R. Vandegrift, ODOH  
S. McLellan, PRC  
T. Hagen, FERMCO/65-2  
J. Harmon, FERMCO/90  
R. P. Heck, FERMCO/52-5  
G. N. Jones, FERMCO/52-2  
C. C. Little, FERMCO/2  
N. S. Weatherup, FERMCO/52-2  
AR Coordinator, FERMCO/78



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

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CHICAGO, IL 60604-3590

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SRF-5J

JUN 11 1996

Mr. Johnny W. Reising  
United States Department of Energy  
Feed Materials Production Center  
P.O. Box 398705  
Cincinnati, Ohio 45239-8705

REPLY TO THE ATTENTION OF:

RE: OU 2 Remedial Design  
Milestones

Dear Mr. Reising:

The United States Environmental Protection Agency (U.S. EPA) has completed its review of the United States Department of Energy's (U.S. DOE) May 9, 1996, letter requesting a change in Remedial Design (RD) deliverable milestones.

The December 15, 1995, RD work plan established design deliverable milestones for the Waste Unit Excavation Preliminary, Pre-final, and final design packages. Although the pre-final document will be submitted according to the existing schedule activities observed while conducting field excavations may be incorporated into the pre-final design package.

Therefore, U.S. DOE has requested the submittal dates for the pre-final design package and draft Remedial Action Work Plan (RAWP) be changed from October 22, 1996, to March 14, 1997, and the final design package and RAWP be changed from March 20, 1997, to August 11, 1997.

These changes may improve the design deliverable and will not impact the existing schedule of March 1998 for the first placement of OU 2 waste unit materials into the on-site disposal facility.

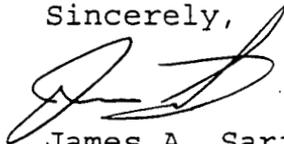
Therefore, U.S. EPA concurs with the proposed changes in schedule for the RD deliverables. A change page for the RD work plan reflecting the change in schedule of the design deliverables must be submitted to U.S. EPA within thirty (30) days receipt of this letter.

(j.dovey)  
Partial  
action response  
to DOE-0879-96  
(9709)

-2-

Please contact me at (312) 886-0992 if you have any questions regarding this matter.

Sincerely,



James A. Saric  
Remedial Project Manager  
Federal Facilities Section  
SFD Remedial Response Branch #2

cc: Tom Schneider, OEPA-SWDO  
Jack Baublitz, U.S. DOE-HDQ  
John Bradburne, FERMCO  
Charles Little, FERMCO  
Terry Hagen, FERMCO  
Michael Yates, FERMCO



**Department of Energy**

**Ohio Field Office  
Fernald Area Office**  
P. O. Box 538705  
Cincinnati, Ohio 45253-8705  
(513) 648-3155



**JUL 11 1996**

**DOE-1118-96**

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

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

Dear Mr. Saric and Mr. Schneider:

**MODIFICATION TO FINAL REMEDIAL DESIGN WORK PLAN FOR REMEDIAL ACTIONS AT  
OPERABLE UNIT 2**

**Reference: DOE-0879-96, Letter to James Saric and Tom Schneider from  
Johnny Reising, "Operable Unit 2 Remedial Design Milestones," dated  
May 9, 1996.**

In the referenced letter to the U.S. Environmental Protection Agency (U.S. EPA) and Ohio Environmental Protection Agency (OEPA), the Department of Energy, Fernald Area Office (DOE-FN) requested that the dates for submittal of the following documents be modified:

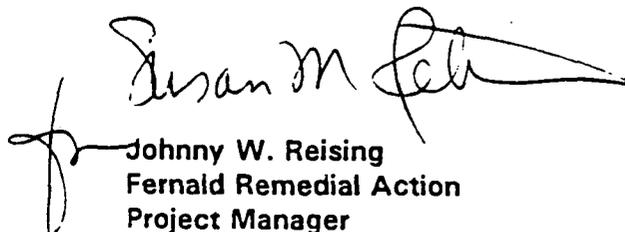
- Pre-Final Design Package for Waste Unit Excavation;
- Final Design Package for Waste Unit Excavation;
- Draft Remedial Action Work Plan (RAWP) for Waste Unit Excavation; and,
- Final RAWP for Waste Unit Excavation.

This modification was requested to incorporate lessons learned from the Area 1 - Phase I remediation. The Pre-Final Design Package and Draft RAWP submittal would change from October 22, 1996, to March 14, 1997, and the Final Design Package and Final RAWP submittal would change from March 20, 1997, to August 11, 1997. Both the U.S. EPA and OEPA concurred in writing with these changes in letters dated June 11, 1996, and May 15, 1996.

Enclosed is a change page for the *Final Remedial Design Work Plan for Remedial Actions at Operable Unit 2* reflecting the revised submittal dates for the waste unit excavation. The U.S. EPA requested that this change page be submitted by July 11, 1996.

If you have any questions regarding this revision to the Operable Unit 2 (OU2) Remedial Design Work Plan (RDWP), please contact Rod Warner at (513) 648-3156.

Sincerely,

  
Johnny W. Reising  
Fernald Remedial Action  
Project Manager

FN:Jalovec

Enclosure: As Stated

cc w/enc:

R. L. Nace, EM-423/GTN  
G. Jablonowski, USEPA-V, 5HRE-8J  
R. Beaumier, TPSS/DERR, OEPA-Columbus  
T. Schneider, OEPA-Dayton (3 copies of enc.)  
F. Bell, ATSDR  
D. S. Ward, GeoTrans  
R. Vandegrift, ODOH  
S. McLellan, PRC  
T. Hagen, FERMCO/65-2  
J. Harmon, FERMCO/90  
AR Coordinator/78

cc w/o enc:

J. Patterson, DOE-HQ  
S. Peterman, DOE-FN  
J. Reising, DOE-FN  
R. Warner, DOE-FN  
S. Garland, FERMCO, MS52-2  
M. Hickey, FERMCO, MS52-2  
A. Hunt, FERMCO, MS52-5  
G. Jones, FERMCO, MS52-2  
U. Kumthekar, FERMCO, MS52-2  
C. Little, FERMCO, MS2  
T. Walsh, FERMCO, MS65-2  
N. Weatherup, FERMCO, MS52-2

**TABLE 6-1  
REMEDIAL DESIGN SCHEDULE**

<b>DELIVERABLES</b>	<b>SCHEDULED DATE</b>
<b>REMEDIAL DESIGN WORK PLAN</b>	
Submit Draft Remedial Design Work Plan to EPA	08/07/95
<b>REMEDIAL DESIGN</b>	
<b>Phase 1 - Design of the Primary Waste Haul Road</b>	
Submit Primary Waste Haul Road Preliminary Design Review Package to EPA	01/29/96
Submit Primary Waste Haul Road Pre-Final Design Review Package to EPA	05/29/96
Issue Primary Waste Haul Road CFC <sup>1</sup> to EPA	08/07/96
<b>Phase 2 - Design of On-Site Disposal Facility</b>	
Submit Disposal Facility Preliminary Design Review Package to EPA	12/22/95
Submit Disposal Facility Pre-Final Design Review Package to EPA	06/28/96
Issue Disposal Facility Final Design Review Package/CFC to EPA	10/14/96
<b>Phase 3 - Excavation of Waste Units</b>	
Submit Waste Unit Preliminary Design Review Package to EPA	05/28/96
Submit Waste Unit Pre-Final Design Review Package to EPA	03/14/97
Issue Waste Unit Final Design Review Package/CFC to EPA	08/11/97
<b>REMEDIAL ACTION WORK PLANS</b>	
Submit Draft Disposal Facility Remedial Action Work Plan to EPA	04/12/96
Submit Draft Primary Waste Haul Road Remedial Action Work Plan to EPA	05/29/96
Submit Final Disposal Facility Remedial Action Work Plan to EPA	06/28/96
Submit Final Primary Waste Haul Road Remedial Action Work Plan to EPA	08/07/96
Submit Draft Waste Unit Remedial Action Work Plan to EPA	03/14/97
Submit Final Waste Unit Remedial Action Work Plan to EPA	08/11/97

<sup>1</sup> CFC = certified for construction



## Department of Energy

Ohio Field Office  
Fernald Area Office

P. O. Box 538705  
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(513) 648-3155

JAN 29 1997

DOE-0397-97



Mr. James A. Saric, Remedial Project Director  
U.S. Environmental Protection Agency  
Region V - SRF-5J  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

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

Dear Mr. Saric and Mr. Schneider:

### RESCHEDULING OF THE OPERABLE UNIT 2 LIME SLUDGE PONDS AND SOLID WASTE LANDFILL DESIGNS AND REMEDIAL ACTION WORK PLANS

The Operable Unit 2 (OU2) Waste Units Prefinal Remedial Design and the Waste Units Remedial Action Work Plan are both scheduled for submission to the U. S. Environmental Protection Agency (U.S. EPA) and Ohio Environmental Protection Agency (OEPA) on March 14, 1997. OU2 includes the Inactive Flyash Pile (IFP), Active Flyash Pile (AFP), South Field (SF), Lime Sludge Ponds (LSP), and Solid Waste Landfill (SWL). Due to the physical location of these various units relative to one another and to other remediation areas, we request the remedial actions be implemented as three separate pieces as discussed in the table below.

Operable Unit 2 Waste Unit	Tentative* Excavation Start Date	Associated Remediation Area
Southern Waste Units (IFP, SF, and AFP)	March 31, 1998	None
Lime Sludge Ponds	June 1, 2000	Area 3, Northern portion of the Former Production Area (Design due July 2, 1998); Area 4, Central portion of the Former Production Area (Design due November 15, 2000)
Solid Waste Landfill	June 1, 2004	Area 6, Waste Pits and Rail Line (Design due January 15, 2001)

\* To be finalized in the Southern Waste Units Implementation Plan to be submitted by March 14, 1997.

The reasons for associating the LSP with Areas 3 and 4 are that in addition to actual LSP physical location (i.e., directly adjacent to Areas 3 and 4) additional soil will be needed to mix with the sludge excavated from the ponds to meet requirements of the On-Site Disposal Facility (OSDF) Impacted Materials Placement Plan; Area 3 is capable of supplying that soil. The reason for associating the SWL with Area 6 is that it is nestled among the rail lines serving the Waste Pit Remedial Action Project with the impacted material haul route impeded by rail traffic. Because of these physical restrictions and the desire to provide an integrated design, it is prudent to defer the design packages until the design of associated areas is further along.

As discussed with the U.S. EPA and OEPA on Monday, November 25, 1996, submitting detailed design documentation for the SWL and LSP in March 1997 will result in a redundant review. The Department of Energy, Fernald Environmental Project (DOE-FEMP) requests the prefinal design package (drawings and specifications) and the draft remedial action work plan, to be submitted by March 14, 1997, be limited to the Southern Waste Units (IFP, SF, and AFP). The prefinal documentation for the SWL would then be submitted on the date presented in the Operable Unit 5 Remedial Design Work Plan for Area 6 with the prefinal documentation for the excavation and the restoration of the LSP submitted with the Area 3 documentation. However, as discussed on November 25, 1996, DOE-FEMP will propose remedial action start dates for the LSP and SWL which will appear in the Southern Waste Units documentation to be submitted by March 14, 1997.

For several months, these areas have been planned to be remediated with future construction activities. Hence, this proposal does not impact construction costs in the accelerated plan. However, this postponement will allow design issues to be resolved more efficiently when the design is reactivated at a more appropriate date in the future.

If you concur with the proposal presented here, please sign below and return this letter to me. Please contact Rod Warner at (513) 648-3156 if there are any questions regarding this proposal.

Concurrence:

\_\_\_\_\_  
Date:

Sincerely,



Johnny W. Reising  
Fernald Remedial Action  
Project Manager

FEMP:Jalovec

cc:

S. Fauver, EM-425/GTN  
J. Patterson, EM-42/GTN  
J. Jalovec, DOE-FEMP  
R. Janke, DOE-FEMP  
S. Peterman, DOE-FEMP  
J. Reising, DOE-FEMP  
R. Warner, DOE-FEMP  
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S. Garland, FDF/52-2  
T. Hagen, FDF/65-2  
J. Harmon, FDF/90  
M. Hickey, FDF/64  
A. Hunt, FDF/52-5  
G. Jones, FDF/52-5  
A. Klimek, FDF/52-5  
C. Little, FDF/2  
C. Neumann, FDF/52-5  
T. Walsh, FDF/65-2  
M. Yates, FDF/9  
V. Zimmerman, FDF/52-5  
AR Coordinator, MS78  
EDC, FDF/52-7



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

841

K-1098

MAR 10 10 06 AM '97

FILE:  
REPLY TO THE ATTENTION OF:

MAR 07 1997

Mr. Johnny W. Reising  
United States Department of Energy  
Feed Materials Production Center  
P.O. Box 398705  
Cincinnati, Ohio 45239-8705

SRF-5J

RE: U.S. DOE Request for  
Extension of OU 5  
Soil Certification  
Milestones

Dear Mr. Reising:

The United States Environmental Protection Agency (U.S. EPA) has carefully reviewed and considered the United States Department of Energy's (U.S. DOE) February 28, 1997, Operable Unit (OU) 5 request for extension under Section XVIII (Extensions) of the 1991 Amended Consent Agreement (ACA). For the following reasons, and with some reservations and conditions, U.S. EPA concurs with U.S. DOE's extension request.

U.S. DOE requests extensions for submittal of the following OU 5 soil certification milestones: 1) Area 1, Phase 1 Certification Report (March 1, 1997); 2) Insitu Radiological Characterization Comparability Study Report (March 14, 1997); 3) Sitewide Excavation Plan (SEP) (March 14, 1997); and 4) Area 2, Phase 1 Integrated Remedial Design Work Package (March 14, 1997).

Pursuant to Section XVIII, paragraph A, of the ACA, "a timetable, deadline, or a schedule shall be extended... when good cause exists..." Good cause is defined in Section XVIII, paragraph B, of the ACA and includes delay caused by (1) an event of Force Majeure, (2) the fault of another party, (3) the good faith invocation of dispute resolution, (4) the grant of any other extension, or (5) any other event or series of events that the parties agree constitutes good cause.

In its request, U.S. DOE states that the Area 1, Phase 1 Certification report is delayed due to abnormal weather and the need for additional sampling and that the other reports, being contingent upon the Area 1 report, will also be delayed. U.S. DOE proposes July 1, 1997, as the new submission date for the Area 1 report and May 1, 1997, as the date by which it will propose submission dates for the other three reports. As explained below, we concur with the Area 1 Report submission date

- 2 -

and will concur with an extension of the submission dates for the other three reports of until July 14, 1997.

U.S. EPA agrees that 29 rain days within a three month soil excavation construction schedule constitutes adverse weather conditions that could not be reasonably anticipated. In addition, considering the remedial investigation data, removing six inches of soil from Area 1, Phase 1, should have achieved final remediation levels. Under those limited and unique circumstances, U.S. EPA also agrees that having to remove additional soils could not be reasonably anticipated. Therefore, U.S. EPA finds that adverse weather coupled with additional soil removal constitutes good cause for delay and justifies a revised submission date of July 1, 1997, for the Area 1 Report.

With respect to the other three reports, U.S. DOE has proposed replacing a date for submission of the reports with a date by when U.S. DOE will propose a submission date. Without final submission dates, it is not presently possible to determine whether the delay is reasonably attributable to the good cause identified above. For example, the current schedule calls for those reports to be submitted within two weeks following the Area 1 Report. U.S. EPA believes that U.S. DOE has adequately demonstrated that those reports are contingent on the Area 1 Report and, therefore, good cause exists for an extension until July 14, 1997. For any additional time beyond that date, U.S. DOE must provide additional justification.

U.S. EPA recognizes that a variety of factors, some of which may constitute good cause for delay beyond July 14, 1997, prohibit U.S. DOE from identifying specific submission dates now. Over the next two months, U.S. DOE plans to sort through these factors and propose submission dates. At this time U.S. EPA will concur with an extension of the submission date for the three other reports of until July 14, 1997, but expressly recognizes that U.S. DOE may, on the basis of additional good cause, request that U.S. EPA amend that submission date again.

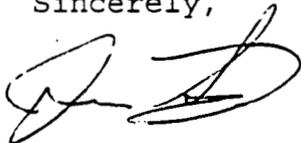
U.S. EPA believes that other circumstances and events, not constituting good cause, occurred which may not have caused additional delay but which certainly did not contribute to timely submission of these reports. For example: (1) despite U.S. EPA's requests U.S. DOE delayed the initiation of development of a soil certification process for several months, (2) U.S. DOE repeatedly failed to adequately address and incorporate some of U.S. EPA's comments into draft soil certification work plans, (3) U.S. DOE continually changed the scope of previous work plans requiring U.S. EPA's extensive review, and (4) U.S. DOE did not heed U.S. EPA's warning considering the anticipated length of time required to develop such a sitewide certification plan. U.S. DOE should avoid such events and circumstances in the future.

- 3 -

We want to emphasize that our view is that sufficient time exists to submit all of these reports this summer without impacting other, related, schedule dates, including the first placement of waste in the On-Site Disposal Cell, March 27, 1998. Therefore, the good cause identified herein shall not be considered as justification for any future extension request. U.S. EPA anticipates that U.S. DOE will use its best efforts to expeditiously overcome this delay while keeping the overall project on schedule.

In summary, U.S. EPA concurs with an extension of the submission dates for the Area 1 Report of until July 1, 1997, and for the other three reports of until July 14, 1997. Because that latter date differs from the date U.S. DOE requested, we request your express concurrence with that date. If you have any questions regarding this matter, please contact me at (312) 886-0992.

Sincerely,



James A. Saric  
Remedial Project Manager  
Federal Facilities Section  
SFD Remedial Response Branch #2

cc: Tom Schneider, OEPA-SWDO  
Bill Murphie, U.S. DOE-HDQ  
John Bradburne, FERMCO  
Charles Little, FERMCO  
Terry Hagen, FERMCO  
Tom Walsh, FERMCO



Department of Energy

Ohio Field Office  
Fernald Area Office

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FEB 28 1997

DOE-0597-97

Mr. James A. Saric, Remedial Project Director  
U.S. Environmental Protection Agency  
Region V - 5HSF-5J  
77 W. Jackson Boulevard  
Chicago, Illinois 60604-3590

Dear Mr. Saric:

**REQUEST FOR EXTENSION - OPERABLE UNIT 5**

This letter constitutes a request for schedule extension for the submittal of four upcoming deliverables on our Soils Certification/Excavation Project. This request for schedule extension is pursuant to Section XVIII of the Amended Consent Agreement. The four referenced deliverables and their current due dates are as follows:

Area 1, Phase I Certification Report (Subareas A, B, B1, PS, and SB)	March 1, 1997
Insitu Radiological Characterization Comparability Study Report	March 14, 1997
Sitewide Excavation Plan (SEP)	March 14, 1997
Area 2, Phase I Integrated Remedial Design Work Package (IRDP)	March 14, 1997

Good cause exists for the Area 1, Phase I Certification Report schedule extension for the following reasons. First, the number of weather related delays (i.e., rain days) during the soil excavation and certification field activities has been significantly higher than normally anticipated. For the three month soil excavation construction activities schedule alone, over 29 rain days were experienced, which resulted in associated delays in the certification sampling schedule. Second, as you know from our joint discussions, it was assumed that all contamination above Final Remediation Levels (FRL) would be removed within the initial six inch "strip" of soil. This assumption was reasonable considering the existing Operable Unit 5 (OU5) Remedial Investigation (RI) data and location of Area 1, Phase I relative to contaminant sources. Preliminary analysis of existing data indicates that in some limited

areas additional soil excavation will be necessary. Due to these factors, we request to extend the submittal date for the draft Area 1, Phase I Certification Report (Subareas A, B, B1, PS, and SB) to July 1, 1997.

Related deadlines that are affected by the Area 1, Phase I Soil Certification Report extension include the SEP, Area 2, Phase I IRDP, and the Insitu Radiological Characterization Comparability Study Report.

The Area 1, Phase I Certification Report should be completed prior to completing the development of a sitewide soil certification strategy (a major component of the scope of work for the SEP). Completing the Area 1, Phase I certification work allows the Department of Energy (DOE) and Environmental Protection Agency (EPA) to understand the critical issues with certification, identify lessons-learned, and provide time for follow-up alignment with you and the Ohio Environmental Protection Agency (OEPA) on resolution of outstanding issues and the development of a sitewide certification strategy prior to the submittal of the draft SEP. The proposed sitewide excavation and certification strategy will be described in the SEP with implementation described in area-specific integrated remedial design work packages, such as the Area 2, Phase I IRDP. The DOE believes that this is still an appropriate approach and, as such, good cause delays in the extension of the schedule for the Area 1, Phase I Certification Report (Subareas A, B, B1, PS, and SB) represent good cause to delay submittal of the SEP and the Area 2, Phase 1 IRDP. Similarly, since our insitu radiological characterization comparability study work is intimately tied to completion of Area 1, Phase I certification work and the development of the SEP, we are also, therefore, requesting an extension of the schedule for the submittal of the draft Insitu Radiological Characterization Comparability Study Report. We are requesting that final schedules for submittal of these draft deliverables (SEP, Area 2, Phase I IRDP, Insitu Radiological Characterization Comparability Study Report) be submitted by May 1, 1997.

If you wish to discuss this request, please contact either Robert Janke at (513) 648-3124, or me at (513) 648-3139. Otherwise, we can discuss this further at our upcoming meeting next week in Chicago, planned for Wednesday, March 5, 1997. We are looking forward to the opportunity at this meeting to provide you and the OEPA with additional information concerning the current status of the Soils Remediation Program.

Sincerely,



Johnny W. Reising  
Fernald Remedial Action  
Project Manager

FEMP:R.J. Janke

cc:

S. Fauver, EM-42/CLOV  
L. Griffin, EM-42/CLOV  
G. Jablonowski, USEPA-V, 5HRE-8J  
R. Beaumier, TPSS/DERR, OEPA-Columbus  
M. Rochotte, OEPA-Columbus  
T. Schneider, OEPA-Dayton  
F. Bell, ATSDR  
D. S. Ward, GeoTrans  
R. Vandegrift, ODOH  
S. McLellan, PRC  
D. Carr, FDF/9  
T. Hagen, FDF/65-2  
J. Harmon, FDF/90  
C. Little, FDF/2  
AR Coordinator, FDF/78  
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MAR 14 1997

DOE-0688-97

Mr. James A. Saric, Remedial Project Director  
U.S. Environmental Protection Agency  
Region V-SRF-5J  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

Dear Mr. Saric:

**DEPARTMENT OF ENERGY CONCURRENCE RE: EXTENSION REQUEST FOR OPERABLE  
UNIT 5**

- Reference: (1) Letter, from Reising to Saric, "Request for Extension - Operable Unit 5," dated February 28, 1997, DOE-0597-97.
- (2) Letter, from Saric to Reising, "RE: U.S. DOE Request for Extension of OU5 Soil Certification Milestones," dated March 7, 1997.

On February 28, 1997, the U.S. Department of Energy (U.S. DOE) submitted a request (Reference 1) to the U.S. Environmental Protection Agency (U. S. EPA) for approval to extend four Operable Unit 5 (OU5) milestones: (1) Area 1, Phase 1 Certification Report; (2) Insitu Radiological Characterization Comparability Study Report; (3) Site-Wide Excavation Report; and, (4) Area 2, Phase I Integrated Remedial Design Package. The U.S. EPA responded to the DOE request for extension of the OU5 milestones on March 7, 1997, (Reference 2). The U.S. EPA concurred with the extension of the submission date for the Area 1, Phase 1 Certification Report until July 1, 1997, but indicated that with respect to the other three reports, it was not possible for the U.S. EPA to determine whether the delay was "reasonably attributable" to the good cause reasons that were provided by DOE. As a result, the U. S. EPA requested that DOE submit the three remaining reports to the U.S. EPA by July 14, 1997, recognizing that DOE may, on the basis of additional good cause, request that U.S. EPA amend the submission date again.

The DOE agrees with U.S. EPA's extension of the submission dates for the Area 1, Phase 1 Certification Report until July 1, 1997, and for the other three reports until July 14, 1997, recognizing that DOE may, on the basis of additional good cause, request that U.S. EPA amend the submission date again.

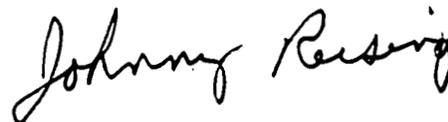
On March 5, 1997, a meeting was held in Chicago with representatives of DOE, U.S. EPA, and Fluor Daniel Fernald (FDF) relative to the status and path forward for the soil cleanup program. At this meeting an alignment process and tentative schedule for the three identified milestones were discussed. Consistent with the discussions at this meeting, it is the intent of DOE to press forward on the development and submittal of these reports and design deliverables to EPA by July 14, 1997.

At the meeting, specific discussions were held relative to the submittal of each of the three remaining soil program deliverables as well as the initial Area 1, Phase I Certification Report. As discussed at the meeting, DOE is aggressively pursuing the completion of data collection activities in Area 1, Phase I to expedite the completion of a final certification report in a time frame supportive of a summer initiation of liner construction activities for the On-site Disposal Facility (OSDF). The DOE will review the certification data for Area 1 Phase I with the U.S. EPA and Ohio Environmental Protection Agency (OEPA) as it becomes available. The purpose of this cooperative review process is to expedite the management decision process on the need for possible re-excavation activities for areas not fully attaining final remediation levels.

During the March 5, 1997, meeting a process was outlined through which DOE, U.S. EPA and OEPA would come into alignment over a series of technical issues confronting the path forward for the soil cleanup program. These technical issues have been identified by DOE, U.S. EPA, and OEPA during the formal comment response process for Area 1, Phase I activities and in meeting on related subjects. The process outlined in the meeting advocates coming to consensus on these rather complex technical issues for incorporation into the final submittal of the Site-wide Excavation Report. Similarly, coming to consensus on these issues was identified as desirable prior to submittal of the Area 2, Phase I Integrated Remedial Design Package to ensure consistency in program approach and implementation strategy. Preliminary schedules developed for this process and the ultimate preparation and transmittal of the documents tentatively identify that each of these two deliverables (along with the Insitu Radiological Characterization Comparability Study Report, which is a complementary and necessary support document to the Site-Wide Excavation Report) can be submitted on or prior to the July 14, 1997, date. While not planned or anticipated at this time, please recognize that the consensus need for the extension of the submittal date for these two deliverables could emerge from this technical alignment process. The DOE considers it imperative that alignment on these technical issues be reached prior to document submittal as these issues establish the foundation for the future soil cleanup program at the Fernald Environmental Management Project (FEMP) and serve as the frame work for the strategies being crafted in these project deliverables.

If you have any questions, please contact Robert Janke at (513) 648-3124.

Sincerely,



Johnny W. Reising  
Fernald Remedial Action  
Project Manager

FEMP:R.J. Janke

cc:

S. Fauver, EM-42/CLOV  
L. Griffin, EM-42/CLOV  
G. Jablonowski, USEPA-V, 5HRE-8J  
R. Beaumier, TPSS/DERR, OEPA-Columbus  
M. Rochotte, OEPA-Columbus  
T. Schneider, OEPA-Dayton  
F. Bell, ATSDR  
D. S. Ward, GeoTrans  
R. Vandegrift, ODOH  
S. McLellan, PRC  
D. Carr, FDF/9  
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J. Harmon, FDF/90  
C. Little, FDF/2  
AR Coordinator/78  
EDC, FDF/52-7

**bcc:**

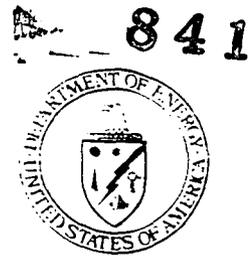
**S. Bogart, DOE-OH**  
**J. Reising, DOE-FEMP**



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JUN 10 1997

DOE-1069-97

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

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

Dear Mr. Saric and Mr. Schneider:

### TRANSMITTAL OF THE SITE PREPARATION PLAN FOR AREA 2, PHASE I - INACTIVE FLYASH PILE, SOUTH FIELD AND ACTIVE FLYASH PILE (SOUTHERN WASTE UNITS)

The purpose of this letter is to transmit, for your review and approval, the following:

- A revised Site Preparation Plan for Area 2, Phase I (Revision B)
- Riser Pipe detail
- Cross-sections and plan sheet with locations

This document was revised in response to the meeting with the U. S. Environmental Protection Agency (U.S. EPA) and Ohio Environmental Protection Agency (OEPA) on May 27, 1997. The revisions are currently being incorporated into the construction drawings, technical specifications and other project documents. Certified for Construction (CFC) drawings and technical specifications and a final Surface Water Management Plan (SWMP) will be forwarded to you on June 16, 1997. As previously discussed, the Fernald Environmental Management Project (FEMP) is now preparing Project Specific Plans for potential Final Remediation Level (FRL) Certification of non-impacted soils within the Southern Waste Units and Waste Acceptance Criteria (WAC) attainment in accordance with the approaches presented in the enclosed Site Preparation Plan.

As described in the Site Preparation Plan, the Department of Energy (DOE) is proceeding with activities to begin site preparation construction in the Southern Waste Units (SWUs) in

the fall of 1997. Activities are progressing through procurement to select a subcontractor for these site preparation construction activities in the next few weeks. The procurement process needs to begin as soon as possible in order to initiate excavation/remediation activities in the SWUs in the summer of 1998. The planned schedule for the procurement process and mobilization of a site preparation subcontractor should allow sufficient time to address any additional regulatory concerns that EPA may have with the design of the site preparation plans before actual site preparation construction begins on or about September 2, 1997.

The draft Site Preparation Plan has been revised to address the following issues identified during the meeting with the U.S. EPA and OEPA:

- Basin liner system
- WAC attainment sampling and analysis
- FRL certification
- Basin dewatering
- Wood chip stockpile

The revisions address the following concepts and concerns:

- **Basin Liner System.** Many types of liner systems were identified and evaluated for the SWUs retention basins. The evaluation consisted of identifying the requirements of the liner, defining how the liner fits into the overall liner system, and then developing and evaluating a specific liner system to best meet the requirements. Based on this evaluation process, the liner system proposed for the basins will consist of (from top to bottom) the following layers:
  - 60 mil High Density Polyethylene (HDPE) geomembrane
  - Twelve inches of compacted clay
  - Existing sands and gravels of the Great Miami Aquifer (GMA)

This combination (geomembrane and clay) liner system will meet the requirements of the project in an efficient and effective manner. Sediment will be removed by a slurry/suction process. Borrow material for the twelve inches of compacted clay will be obtained from the West Field Borrow Area (WFBA) west of the south access road. Extensive geotechnical testing has been performed on the material in the WFBA and it contains low plasticity or "CL" classified material with low permeability. The borrow area will be sampled and analyzed (according to the Project Specific Plan which will be provided to EPA for review prior to the initiation of sampling activities) to certify that it is below FRLs prior to placement in the basins. After remediation and certification of the SWUs are complete, the liner material from the basins (HDPE geomembrane, filter fabric and clay) will be removed and the area of the basins will be remediated and certified.

- **WAC Attainment and FRL Certification.** This section of the Site Preparation Plan has been modified to present the WAC attainment concepts discussed at the May 27, 1997, meeting. FRL certification for a borrow area has been inserted to address the use of borrow material to line the basins. FRL certification in the basins has been modified to add a screening step.
- **Basin Dewatering.** The riser pipes in all three basins were revised so that the basins will have the ability to completely dewater via gravity. The HDPE riser pipes in all three basins will be perforated to the bottom of the basins. The perforations will be one inch diameter holes. Aggregate with an approximate size of two inches will be piled against the riser to the sediment clean-out level. The aggregate will filter and slow the flow into the riser without excessive restrictions while providing the ability for the basins to dewater via gravity flow.
- **Wood Chip Stockpile.** As described in the Site Preparation Plan, runoff from wood chips will not adversely affect the water quality of Paddys Run. The stockpile will be managed in accordance with the existing National Pollutant Discharge Elimination System (NPDES) discharge permit for the FEMP.
- **Cross-sections and Paddys Run Flood Stage.** Three cross-sections were cut through the portion of the ditch where it is in closest proximity to both the inactive flyash pile (IFP) and Paddys Run, and three cross-sections were cut through Basin 1 and Paddys Run. These cross-sections and a plan view with their locations are attached.

The IFP/Paddys Run cross-sections show that a ditch can be constructed in the area; the final location of the ditch will be determined in the field. Elevations of flood waters, resulting from 5, 25 and 100-year, 24-hour storm events, within Paddys Run in the proximity of the IFP area are as follows:

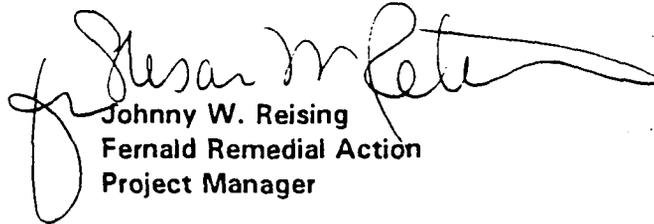
- 5 - Year 24-hour storm- Elev. 543
- 25 - Year 24-hour storm - Elev. 544
- 100 - Year 24 hour storm - Elev. 545

Basins were designed to pump the flow from the 10-year, 24 hour storm. The top elevation of the embankment for Basin 1 is Elevation 540. Therefore, when large rainfall events occur that exceed the 10-year 24-hour storm, Basin 1 is more likely to be over-topped with water coming into the basin than water flow going out.

Elevation of the GMA groundwater levels are shown on the Basin 1 cross-sections. This information demonstrates that the groundwater levels are below the bottom of the basin.

We hope that this information addresses EPA concerns associated with the planned path forward on site preparation activities in the SWUs. If you should have any questions or comments on these proposals, please contact Robert Janke at (513) 648-3124.

Sincerely,



Johnny W. Reising  
Fernald Remedial Action  
Project Manager

FEMP:RJJANKE

Enclosure: As Stated

cc w/enc:

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G. Jablonowski, USEPA-V, 5HRE-8J  
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F. Bell, ATSDR  
R. Geiger, PRC  
R. Vandegrift, ODOH  
D. S. Ward, GeoTrans  
T. Schneider, OEPA-Dayton (total of 3 copies of enc.)  
D. Carr, FDF/9  
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EDC, FDF/52-7