



Department of Energy

**Ohio Field Office
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SEP 25 1997

DOE-1422-97

**Mr. Donald R. Schregardus, Director
Ohio Environmental Protection Agency
1800 Watermark Drive
Columbus, Ohio 43266**

Dear Mr. Schregardus:

REQUEST FOR MODIFICATION OF DIRECTOR'S FINDINGS AND ORDERS

The purpose of this letter is to recommend modification of the September 10, 1993, Director's Findings and Orders (DF&O) regarding groundwater monitoring at the Fernald Environmental Management Project (FEMP). The modification is necessary so that groundwater monitoring activities continue to support remedial actions at the site.

On September 10, 1993, the Ohio Environmental Protection Agency (OEPA) and Department of Energy (DOE) signed a DF&O which facilitated the integration of the DOE's Resource Conservation and Recovery Act (RCRA) groundwater monitoring obligations with the ongoing Comprehensive Environmental Response Compensation and Liability Act (CERCLA) investigation at the FEMP. The order provided for two general objectives. The first related to requirements for maintaining and sampling a system of monitoring wells in the Great Miami Aquifer for characterizing groundwater conditions to the extent necessary to design and implement corrective actions. According to the DF&O, the DOE's Operable Unit 5 (OU5) Remedial Investigation (RI) Report was to be analogous to the groundwater assessment report (Ohio Administrative Code (OAC) Rule 3745-65-93 (D) (5)), which must describe the nature, rate, and extent of groundwater contamination. The DOE submitted the OU5 RI which was subsequently approved on February 17, 1995. A Record of Decision (ROD) for OU5 was issued on January 31, 1996, and the FEMP is currently starting remedial actions, thus the first general objective of the order has been satisfied.

The second general objective is related to the annual reporting of data concerning 33 perimeter monitoring wells. Per OAC 3745-65-94(b)(2) and the DF&O, the annual report must be submitted by March 1 of each calendar year until final closure of the facility.

On July 31, 1996, the DOE submitted an Integrated Environmental Monitoring Plan (IEMP). The IEMP described environmental monitoring activities to be carried out throughout the remedial action, including groundwater monitoring activities, which must ensure adequate capture of all FEMP related contamination above the ROD specified final remediation goals.

The IEMP further described a process of continual U.S. Environmental Protection Agency (U.S. EPA)/OEPA participation and revision of the IEMP every two years. The IEMP will generate quarterly status reports and a comprehensive annual report, which will report on the status of all site environmental monitoring, inclusive of the specific wells included under the scope of the DF&O. As such, the IEMP will substantively provide for the second general objective described above. To avoid duplicative reporting, DOE suggests that the existing DF&O be modified to identify the IEMP as the governing document for the FEMP's RCRA groundwater monitoring program. The following proposed orders, which describe the IEMP reporting requirements would supersede the original orders:

1. The Respondent will implement groundwater monitoring activities as described in the Integrated Environmental Monitoring Plan (IEMP). The IEMP will remain in place throughout the duration of remedial and post remedial activities. Accordingly, the IEMP will function as an iterative document with annual review and a two-year revision cycle to accommodate the initiation of new projects and completion of others.
2. The Respondent will conduct quarterly meetings with the OEPA, and submit quarterly reports that will provide an operational assessment of the aquifer restoration system, and an assessment of the restoration progress in the format of figures, graphs, tables and maps. The quarters will correspond to calendar years and begin in January of each year. Quarterly meetings and reports will be submitted within 60 days of the close of each quarter. At a minimum the quarterly reports will include the following information:
 - "Set point" pumping rates for extraction wells;
 - "Set point" injection rates for injection wells;
 - Hours of operation for each extraction/injection well;
 - Quantity of water extracted and injected and net water balance;
 - Pounds of uranium removed from the aquifer;
 - Quantity of uranium sent to treatment;
 - Quantity of uranium discharged to the Great Miami River;
 - Capture zone map(s); and, Plume configuration map(s).
3. The Respondent will submit, by June 30 of each calendar year, a comprehensive annual report that will include all information submitted in quarterly reports plus:
 - Status of non-uranium FRL exceedances;
 - Identification of new FRL exceedances;
 - Comparison of observed restoration progress with modeled predictions;
 - and,
 - Changes made to the operation or design of the restoration system.

The first quarterly IEMP status report (covering data collected July through September 1997) will be submitted to the U.S. EPA and OEPA by November 31, 1997. The first comprehensive annual IEMP report will be submitted by June 30, 1998. It is the DOE's expectation that these reports will fulfill the 1997 RCRA groundwater assessment monitoring reporting obligation.

If you have questions regarding this issue, please contact Kathleen Nickel at (513) 648-3166.

Sincerely,



for Jack Craig
Director

FEMP:Nickel

cc:

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