



State of Ohio Environmental Protection Agency

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5472.3

Issuance Date: January 8, 1998
Effective Date: February 17, 1998
OEPA Permit No.: 1I000004

U.S. Department of Energy
Fernald Environmental Management Project
PO Box 538704
Cincinnati, Ohio 45253-8704

Ladies and Gentlemen:

Under the provisions of Ohio Administrative Code, Chapter 3745-33, it is proposed that your request for a modification to the above referenced NPDES permit be denied for the reasons specified below. The existing NPDES permit will remain in effect.

The specific reasons for denial are as follows:

The modification request of having 60 days of "monitoring only" would begin in late March 1998. The current permit expires March 31, 1998. Permit modification time frames can not exceed the expiration date of the permit they are to modify.

The current permit requires the sampling station for 1I000004601 to be "at UV disinfection building prior to discharging to Outfall 001 through Manhole 175." Fernald is requesting "after UV disinfection, prior to outfall 001." While manhole 175 is no longer used, the current language should be left in the permit, as they are still going to use the UV building after it is moved to the new location. After a pre-permit inspection, the best language for this sampling point will be incorporated into the new permit.

Under Ohio Revised Code, Chapter 6111 and 119, if you wish to challenge this proposed action, you may request an adjudication hearing within (30) days of this proposed action, as provided by Ohio Environmental Protection Agency Regulation EP-40-13. A hearing may not be requested on any issue other than the denied modification. At an adjudication hearing, you may appear in person, or be represented by an attorney, or such other representative as is permitted to practice before this Agency, or you may present your position, arguments, or contentions in writing. At an adjudication hearing, you may also present evidence and examine witnesses appearing for and against you. Requests for hearing shall specify the issues of fact and law to be contested. Any such request for hearing must be sent to the Hearing Clerk, Ohio Environmental Protection Agency, PO Box 1049, 1800 WaterMark Drive, Columbus, Ohio 43226-0149. In the event you do not challenge this proposed action, it will become effective on the date shown.

If you have any questions, please contact the Ohio Environmental Protection Agency District office in your area.

Sincerely,

Donald R. Schregardus
Donald R. Schregardus
Director

DRS/dks

CERTIFIED MAIL

George V. Voinovich, Governor
Nancy P. Hollister, Lt. Governor
Donald R. Schregardus, Director

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