Department of Energy

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

FEB 12 1998

DOE-0340-98

Ms. Vicky Dastillung
3088 Hamilton-Scipio Road
Hamilton, Ohio 45013

Dear Ms. Dastillung:

RESPONSES TO COMMENTS ON DRAFT SILO 3 PROJECT REQUEST FOR PROPOSAL, REVISION D

Enclosed are the responses to your comments on the Draft Silo 3 Project Request for Proposal (RFP), Revision D. The responses have been prepared consistently with the discussions held with representatives on December 1, 1997, from Fernald Citizens Advisory Board (CAB) Waste Management Subcommittee meeting and transcripts from the December 2, 1997, Nevada Stakeholders meeting conducted by the Department of Energy, Fernald Environmental Management Project (DOE-FEMP).

If you have any questions or concerns, please feel free to contact me at (513) 648-3153.

Sincerely,

Mike Jacobs

for Gary Stegner
Public Affairs Officer

FEMP:Akgündüz

Enclosure: As Stated

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cc w/enc:

AR Coordinator, FDF/78

cc w/o enc:

J. Reising, DOE-FEMP
D. Yockman, DOE-FEMP
T. D. Hagen, FDF/65-2
D. Paine, FDF/52-4
T. C. Patton, FDF/65-2
T. J. Stone, FDF/20
P. A. Sturgeon, FDF/20
K. N. Wintz, FDF/

RESPONSES TO THE FRESH COMMENTS ON THE DRAFT SILO 3 RFP, REVISION D

Commenting Organization: FRESH Commentor: Dastillung
Section #: General Page #: Line #: N/A Code: N/A
Original Comment #: 1

Comment: Vicky Dastillung verbally stated that she remembered that Fluor Daniel Fernald (FDF) expected a 20% volume increase in the treated Silo 3 material. She wanted to know where the Request for Proposal specified that the Contractors would have to meet this waste loading (re: telephone call, K. Wintz and Vicky Dastillung, December 3, 1997).

Response: The 20% volume increase referenced was used by FDF as a basis for its baseline cost estimates. The estimated volume increase was based upon two sets of treatability data performed on actual Silo 3 material. One set of data was generated as part of the Operable Unit 4 Remedial Investigation/ Feasibility Study and the other set of data was generated from a more recent bench-scale laboratory test completed in June 1997.

Each Contractor's actual volume increase might vary from FDF's estimated volume increase based upon the proposed treatment technology and post-treatment material handling processes. Contractors' proposals will be evaluated on technical content and total project costs. Total project costs will be calculated by FDF using the Contractors' proposed waste loading and volume increase values for the treated waste. Total project costs will include, but are not limited to, transportation and disposal costs. On this basis, Contractors who generate more waste will be penalized by scoring lower points on their proposal for the total project cost portion.

In addition, the successful Contractor shall submit for FDF acceptance a Process Control Plan (PCP) describing how the Contractor shall control the treatment process, including the waste loading. The Contractors' PCP must take into consideration the variability of the Silo 3 material in controlling the proposed waste loading range and potential volume increase. FDF will provide oversight to the Contractor to ensure it performs waste treatment in accordance with its PCP. The Contractor will be back charged for additional transportation and/or disposal costs if it produces treated waste that exceeds the proposed range.

Action: Additional clarification will be provided in Sections M and H on the evaluation of total project cost and holding the Contractor accountable for its waste loading and volume increase estimates, respectively.

RESPONSES TO THE FRESH
COMMENTS ON THE DRAFT SILO 3 RFP, REVISION D (cont'd)

Commenting Organization: FRESH Commentor: Dastillung
Section #: General Page #: Line #: N/A Code: N/A
Original Comment #: 2
Comment: Vicky Dastillung also verbally stated that she was satisfied with the language about public involvement in the process after award of the contract.

Response: The Department of Energy and FDF appreciate the feedback.

Action: No further action.

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DOE-0340-98

Mr. Dale Schutte, Chairperson
Nevada Test Site Community Advisory Board
Harry Reid Center/UNLV
4505 Maryland Parkway , P.O. Box 454009
Las Vegas, Nevada 89154

Dear Mr. Schutte:

RESPONSES TO COMMENTS ON DRAFT SILO 3 PROJECT REQUEST FOR PROPOSAL, REVISION D

Enclosed are the responses to your comments on the Draft Silo 3 Project Request for Proposal (RFP), Revision D. The responses have been prepared consistently with the discussions held with representatives on December 1, 1997, from Fernald Citizens Advisory Board (CAB) Waste Management Subcommittee meeting and transcripts from the December 2, 1997, Nevada Stakeholders meeting conducted by the Department of Energy, Fernald Environmental Management Project (DOE-FEMP).

If you have any questions or concerns, please feel free to contact me at (513) 648-3153.

Sincerely,

Mike Jarvis

for Gary Stegner
Public Affairs Officer

FEMP:Akgündüz

Enclosure: As Stated

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AR Coordinator, FDF/78

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T. J. Stone, FDF/20
P. A. Sturgeon, FDF/20
K. N. Wintz, FDF/

RESPONSES TO THE STAKEHOLDER COMMENTS ON THE DRAFT SILO 3 RFP, REVISION D

Commenting Organization: NTSCAB Commentor: Bechtel
Section #: C.6.2.10 Page #: Line #: N/A Code: N/A
Original Comment #: 1

Comment: Section C.6.2.10 of the Draft Request for Proposal (RFP) sets the criteria for the waste packaging, transportation, and disposal of the Fernald materials. State and local government planners and the Department of Energy (DOE) are currently working on a *Feasibility Study* for intermodal transportation and routing of waste to the Nevada Test Site (NTS). It is important that the RFP incorporate the process being used in this work to guide the ultimate transportation of the waste in Nevada.

Response: The shipment of the treated waste is not part of the Contractor's scope of work in the Silo 3 RFP. DOE and FDF will be responsible for shipment of treated waste. The information provided in Section C.6.2.10 provides guidance to the Contractor on what requirements the treated waste and the disposal container must meet for acceptance under this contract.

The *Nevada Test Site Intermodal Transportation Facility Site and Routing Evaluation Study*, January 1998, prepared for DOE by the Science Applications International Corporation, will be used by DOE as a means to determine the safest and most cost-effective mode of transportation for shipping treated waste.

Action: No further action.

Commenting Organization: NTSCAB Commentor: Bechtel
Section #: C.6.2.11 Page #: Line #: N/A Code: N/A
Original Comment #: 2

Comment: Section C.6.2.11 (Contingency Planning and Emergency Response). This may be covered but it is important that the Fernald Environmental Management Project (FEMP) Emergency Management Plan include a plan to interact with local governments which will probably be the first responders in the event of an accident.

Response: The contingency plan and emergency response information presented in Section C.6.2.11 of the Silo 3 RFP relates to incidents involving the treatment facility at the FEMP. Accidents during shipment of treated waste to the NTS are the responsibility of the shipping company. The shipper is responsible for notifying and working with local authorities and emergency response teams during an accident involving shipment of the treated waste.

RESPONSES TO THE STAKEHOLDER
COMMENTS ON THE DRAFT SILO 3 RFP, REVISION D (cont'd)

In addition, the shipper is responsible for notifying the FEMP in the event of an accident. The FEMP will send out its emergency response team to assist local authorities, as necessary, as well as to investigate the accident and implement the necessary corrective actions to prevent its reoccurrence.

Action: No further action.

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FEB 12 1998

DOE-0340-98

Mr. Gene Willeke
Miami University
Institute of Environmental Sciences
102 Boyd Hall
Oxford, Ohio 45056

Dear Mr. Willeke:

RESPONSES TO COMMENTS ON DRAFT SILO 3 PROJECT REQUEST FOR PROPOSAL, REVISION D

Enclosed are the responses to your comments on the Draft Silo 3 Project Request for Proposal (RFP), Revision D. The responses have been prepared consistently with the discussions held with representatives on December 1, 1997, from Fernald Citizens Advisory Board (CAB) Waste Management Subcommittee meeting and transcripts from the December 2, 1997, Nevada Stakeholders meeting conducted by the Department of Energy, Fernald Environmental Management Project (DOE-FEMP).

If you have any questions or concerns, please feel free to contact me at (513) 648-3153.

Sincerely,

Mike Sowle

for Gary Stegner
Public Affairs Officer

FEMP:Akgündüz

Enclosure: As Stated

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AR Coordinator, FDF/78

cc w/o enc:

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T. J. Stone, FDF/20
P. A. Sturgeon, FDF/20
K. N. Wintz, FDF/

RESPONSES TO THE FCAB COMMENTS ON THE DRAFT SILO 3 RFP, REVISION D

Commenting Organization: FCAB Commentor: Willeke
Section #: Table J.2-1 Page #: Line #: N/A Code: N/A
Original Comment #: 1

Comment: Sulfate is one of the critical considerations in formulating a treatment process for the wastes. In the text, reference is made to "high" sulfate levels on p. J.2-26. Yet, there are no quantitative statements about sulfate levels, which I would expect to find in Table J.2-1.

Response: The analytical data presented in Table J.2-1 was obtained from Table 4-20 of the Remedial Investigation Report (RI) for Operable Unit 4 (OU4). The material in Silo 3 was not analyzed for sulfates during the RI process. "High" sulfate levels, 15 weight percent by dry weight, were observed on a single sample during crucible melts performed as part of the treatability studies conducted by Battelle National Laboratories for the OU4 Feasibility Study (FS).

Action: The text will be modified to provide the levels of sulfate that have been detected in the Silo 3 material during treatability studies. Additional sulfate analyses are intended to be performed on Silo 3 material collected during Small-scale Waste Retrieval. These data will be provided to the vendors when it becomes available.

Commenting Organization: FCAB Commentor: Willeke
Section #: Page #: J.2-11 Line #: N/A Code: N/A
Original Comment #: 2

Comment: Similarly, in the recent discussions we have had about percentages of fines, John has talked about very high levels of sub-micron size particles. P.J.2-11 doesn't indicate this. If there really are high concentrations of such small particles, it should be noted in the characterization of the wastes.

Response: The text will be modified to present a brief summary of data obtained for Silo 3 material particle size analysis. In addition, Attachment J.4.30, "Silo 3 Material Particle Size Analysis, by Argonne National Laboratories (June 1996)," presents a detailed report of the particle size analysis performed on samples of Silo 3 material. This attachment has been provided to all the qualified bidders identified for the Silo 3 Project proposing a remediation technology and the attachment is available in the Public Environmental Information Center (PEIC) for interested stakeholders to inspect.

Action: The text will be modified to present a brief summary of data, including any limitations associated with the data, obtained for Silo 3 material particle size analysis with additional reference to Attachment J.4.30.

RESPONSES TO THE FCAB
COMMENTS ON THE DRAFT SILO 3 RFP, REVISION D (cont'd)

Commenting Organization: FCAB Commentor: Willeke
Section #: Table J.2-3 and J.2-4 Page #: Line #: N/A Code: N/A
Original Comment #: 3

Comment: Presumably a good Contractor would know what the acceptable limits are for elements in Table J.2-3 and J.2-4. Stakeholders would probably like to know what they are, although from a strictly Contractor standpoint, I can see omitting it.

Response: Currently there are no regulatory driven treatment standards established for the radionuclides contained in the Silo 3 material. The information presented in Tables J.2-3 and J.2-4 represents analytical data obtained from the OU4 RI on radiological characterization of the Silo 3 material. The data in Attachment J.2 provides potential vendors a complete understanding of the Silo 3 material, as it is currently known.

Action: No further action.

Commenting Organization: FCAB Commentor: Willeke
Section #: J.3.1 Page #: J.4.1-4 Line #: N/A Code: N/A
Original Comment #: 4

Comment: The applicability of Nuclear Regulatory Commission (NRC) regulations is ambiguous. Section J.3.1 "requires compliance with all requirements in this section." Page J.4.1-4 refers to NRC regulations as potential applicable or relevant and appropriate requirements (ARARs) or "to be considered" criteria (TBCs). Action is underway at other sites to have NRC regulations for wastes apply at all sites. If so, it changes the kinds of waste forms which would be applicable at Fernald. Specifically, some kinds of cement stabilized waste wouldn't meet them, as I understand it. Should this section be more specific?

Response: This Request for Proposal (RFP) is based on current regulations, as well as, those ARARs and TBCs identified in the OU4 Record of Decision (ROD), as modified by the Explanation of Significant Differences (ESD). The ARARs and TBCs identified in Attachment J.4.1 were agreed to by the United States Environmental Protection Agency (U.S. EPA) and Ohio EPA with the approval of the OU4 ROD on December 7, 1994. These requirements regulate remediation work to be protective of public health and the environment. Included as ARARs are 10 Code of Federal Regulations (CFR) Part 1021 and 10 CFR Part 1022 as they relate to National Environmental Protection Act evaluations and protection of wetlands and floodplains, respectively, at Department of Energy (DOE) facilities.

In addition, other regulations under 10 CFR relating to nuclear safety at DOE

RESPONSES TO THE FCAB
COMMENTS ON THE DRAFT SILO 3 RFP, REVISION D (cont'd)

facilities have been cited in Attachment J.3.1 - J.3.5. Compliance with these requirements is mandatory since they relate to worker protection and quality assurance.

The Contractor is required to comply with all requirements identified in the RFP to ensure remediation work is protective of both worker and public health and the environment.

Additional ARARs may be added to the approved list under either of the following two conditions:

1) As new regulations become promulgated, Fluor Daniel Fernald (FDF) and DOE will review the new regulations to determine if they are required to provide the necessary level of protection to human health and the environment over the existing ARARs.

2) The National Oil and Hazardous Substances Pollution Contingency Plan, under 40 CFR Part 300.430(f)(4)(ii), requires the DOE, as the lead agency, to review the selected remedial action every five years after initiation of the selected remedial action when hazardous substances, pollutants, or contaminants remain at the site. The review would include an analysis of the ARARs to determine if the ARARs identified in the OU4 ROD, as modified by the ESD, still afford the necessary protection of human health and the environment.

Action: No further action.

Commenting Organization: FCAB Commentor: Willeke
Section #: General Comment Page #: Line #: N/A Code: N/A
Original Comment #: 5
Comment: I don't see reference to either the Independent Review Team report or the Value Engineering reports. Lisa Crawford and others had specifically mentioned these, and I concur that they are relevant to the draft RFP.

Response: The Independent Review Team (IRT) and the Value Engineering (VE) reports have not been included as attachments to the RFP in Section J because they do not identify requirements for the Contractor in the preparation of its proposal. However, these documents, as well as many other technical and regulatory documents involving OU4 and Silo 3, are available in the PEIC reading room for the Contractors to inspect. FDF will provide additional references in Section J.2.6 of the RFP that these background documents are available at the PEIC for inspection.

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RESPONSES TO THE FCAB
COMMENTS ON THE DRAFT SILO 3 RFP, REVISION D (cont'd)

It should also be noted that the treatment technologies proposed by the IRT for remediation of the Silo 3 material were evaluated under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) process in the ESD. The ESD documents the justification for narrowing the list to two viable technologies, chemical stabilization/solidification and polymer-based micro encapsulation. Section L.1.3 of the RFP instructs the Contractor to submit a proposal based upon one of these two acceptable technologies.

There are other sections and attachments of the RFP that provide the Contractor with pertinent information about the Contractor's stakeholder involvement requirements during the performance of the Silo 3 remediation contract. Clause H.14 identifies the Contractor's responsibilities for participation in special meetings and requirements for stakeholder involvement as part of the CERCLA public involvement process.

Action: Additional references will be provided in Section J.2.6 that documents are available in the PEIC.

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