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State of Ohio Environmental Protection Agency

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George V. Voinovich
Governor

November 24, 1998

RE: DOE FEMP
COMMENTS: RESPONSE TO
COMMENTS ON SILOS
INFRASTRUCTURE PROJECT
DESIGN PACKAGE

Mr. Johnny Reising
U.S. Department of Energy, Fernald Area Office
P.O. Box 538705
Cincinnati, OH 45253-8705

Dear Mr. Reising:

Ohio EPA has reviewed DOE's October 21, 1998 submittal, "Response to Ohio EPA Comments on Silos Infrastructure Project Design Package." Attached are Ohio EPA's comments on the document.

If you have any questions, please contact me.

Sincerely,

Thomas A. Schneider
Fernald Project Manager
Office of Federal Facilities Oversight

- cc: Jim Saric, U.S. EPA
- Terry Hagen, FDF
- Ruth Vandergrift, ODH
- Mark Shupe, HSI GeoTrans
- Francie Barker, Tetra Tech EM Inc.
- Manager, TPSS/DERR, CO

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Silos Infrastructure Response to Comments

1859

1. Commenting Organization: OEPA Commentor: OFFO
Section #: General Comment Pg. #: Line #: Code: C
Original Comment #:

Comment: The response to comment letter does not suggest DOE plans to resubmit a revised version of the design package. Ohio EPA believes submittal of a revised version of the document is necessary for our approval to start construction on this project.

2. Commenting Organization: OEPA Commentor: OFFO
Section #: Pg. #: Line #: Code: C
Original Comment #: 1

Comment: This document will need to be submitted for Ohio EPA review and approval prior to approval of the Infrastructure Design Package and would be most effective if submitted with the revised design package.

3. Commenting Organization: OEPA Commentor: OFFO
Section #: Pg. #: Line #: Code: C
Original Comment #: 2

Comment: Ohio EPA is unaware of any DOE plan to fill the Pilot Plant Drainage ditch. Additionally, simply because the wetlands have been accounted for in the mitigation strategy does not absolve DOE of the requirement to evaluate designs in order to minimize impacts to wetlands. Efforts to reduce the scale and duration of impacts to wetlands should be included in any design potentially involving wetlands at Fernald.

Based upon Ohio EPA 11/23/98 field observations, DOE intends to fill within the stream channel. This is not adequately addressed in the original design package or the wetland permitting crosswalk.

4. Commenting Organization: OEPA Commentor: OFFO
Section #: Pg. #: Line #: Code: C
Original Comment #: 3

Comment: Ohio EPA has received the Wetland Permitting Crosswalk. Based upon our 11/23/98 field inspection, Ohio EPA does not believe that either the design package or the permit crosswalk represent the planned field activities based upon construction staking. The permitting crosswalk is not acceptable in that it does not represent planned field activities, stating that no permanent restrictions or impediments to flow will result from the work, while field staking shows placement of stone across the stream channel.

5. Commenting Organization: OEPA Commentor: OFFO
Section #: Pg. #: Line #: Code: C
Original Comment #: 4

Comment: As expected of other designs, this design package should include the WAC sampling

data and associated design considerations for managing these wastes. As stated in the original comment the WAC Attainment Plan includes no provisions for temporary staging of above WAC material. Ohio EPA maintains that any above WAC soils must be immediately transferred to SP-7. Finally, based upon Tom Schneider's 11/23/98 telephone conversation with Sue Lorenz this position is consistent with that of WAO.

6. Commenting Organization: OEPA Commentor: OFFO
Section #: Pg. #: Line #: Code: C
Original Comment #: 5

Comment: The plan of grading excess soil into the area inside the road is a obvious change from the original design package and requires additional explanation and justification. Ohio EPA still believes disposal of above FRL excess soils in the OSDF is the appropriate action. Based upon Tom Schneider's 11/23/98 telephone conversation with Sue Lorenz, this position is consistent with that of WAO.

7. Commenting Organization: OEPA Commentor: OFFO
Section #: Pg. #: Line #: Code: C
Original Comment #: 8

Comment: If no fill material from other areas is required, then the action should be to change the text to state "no fill will be required from other areas."

8. Commenting Organization: OEPA Commentor: OFFO
Section #: Pg. #: Line #: Code: C
Original Comment #:10

Comment: Ohio EPA recommends DOE reconsider the use of slag for this or any other on-site project. Considering the site FRLs and the fact this material will require disposal as waste following completion of activities it would seem prudent to use a different material. If DOE insists on the use of slag, then analysis of the material prior to use on-site and incorporation of any additional contaminants of concern associated with the slag into excavation characterization and soil certification activities is necessary.

9. Commenting Organization: OEPA Commentor: OFFO
Section #: Pg. #: Line #: Code: C
Original Comment #:11

Comment: If the project does not include construction of a temporary storm water basin, then the specification should be revised to remove reference to constructing one. Use of generic specification is good for consistency among projects but it should not include work not envisioned under the plan. The action should be revised to remove reference to the basin from the specification.

10. Commenting Organization: OEPA Commentor: OFFO

Section #: Pg. #: Line #: Code: C

Original Comment #:13

Comment: The Action should include the addition of text regarding the use of silt fences in addition to the proposed removal of reference to straw/hay bales.

11. Commenting Organization: OEPA Commentor: OFFO

Section #: Pg. #: Line #: Code: C

Original Comment #: 14

Comment: The OU5 Soils Project has switched their generic specs to include the coconut mesh material referenced by Ohio EPA based upon their successful use of the material. If DOE decides to use the non-biodegradable material on the infrastructure project, then we believe significantly more maintenance and inspections will be required by FDF along with Ohio EPA inspections.

The ODNr manual specifies Excelsior or jute matting. ODNr does not specify "UV" stabilized plastic netting. If using Excelsior, photodegradable plastic netting is preferred by Ohio EPA. The UV stabilized netting is persistent and causes safety hazards for personnel (tripping) and wildlife (entrapment).

12. Commenting Organization: OEPA Commentor: OFFO

Section #: Pg. #: Line #: Code: C

Original Comment #:20

Comment: In addition to providing the basin calculations, as suggested in the original comment the specifications should be revised to address these filling and grading activities.

13. Commenting Organization: OEPA Commentor: OFFO

Section #: Pg. #: Line #: Code: C

Original Comment #: 22

Comment: The document should be revised to indicate that, although it is understood that silt fence is to be installed on the contour, this is a special case. The document should be revised to state that the silt fence will be installed as indicated in the response, for the reasons indicated, with the special conditions.

14. Commenting Organization: OEPA Commentor: OFFO

Section #: Pg. #: Line #: Code: C

Original Comment #: 23

Comment: Ohio EPA believes that incorporation of surface water flow paths are important to support regulatory review of the design submittal. Additionally, we would expect that DOE and

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FDF reviewers would see benefits to incorporating flow paths for their review and oversight of the contractor. The revised submittal should include a drawing with surface water flow paths.