



Department of Energy

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AUG 11 1999

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

DOE-1027-99

Dear Mr. Schneider:

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT ISSUES - INITIATION OF WASTE PITS EXCAVATION AND FULL SCALE WASTE PIT REMEDIAL ACTION PROJECT OPERATIONS - FERNALD ENVIRONMENTAL MANAGEMENT PROJECT

- References:
- 1) Letter, J. Reising to J. Saric and T. Schneider, "Transmittal of Schedule Dates for Operable Unit 1 Startup of Operations," dated July 30, 1999 (DOE-0987-99)
 - 2) Letter, D. Carr to T. Winston, "NPDES Permit Renewal Application - Addendum - Fernald Environmental Management Project - NPDES Permit No. 11000004*ED," dated August 31, 1998 (C:SWP:98-0072)
 - 3) Letter, J. Reising to T. Schneider, "National Pollutant Discharge Elimination System Permit Issues - Initiation of Operation of New Wastewater Sources - Fernald Environmental Management Project," dated June 29, 1998 (DOE-0924-98)
 - 4) Letter, D. Carr to Thomas A. Winston, "NPDES Permit Renewal Application - Fernald Environmental Management Project - NPDES Permit No. 11000004*ED," dated September 22, 1997 (C:SWP:97-022)

The Fernald Environmental Management Project (FEMP) is scheduled to begin Waste Pit excavation activities on August 23, 1999. Full-scale operations are planned to begin on October 18, 1999. Full-scale operations include operation of the dryer, wastewater treatment system, and gas cleaning system. Reference 1 provided these schedule dates. Initiating these important activities is consistent with our joint remedial objectives.

Fluor Daniel Fernald, Inc. (FDF) submitted a National Pollutant Discharge Elimination System (NPDES) Permit Renewal Application on September 22, 1997 (Reference 4). This renewal application sought to both renew the existing permit and reflect new discharges associated with the operation of the On-Site Disposal Facility (OSDF), Southern Waste Unit (SWU) Storm Water Management System, and South Plume Optimization and South Field Extraction groundwater systems. This permit application was submitted in the required timely manner which, by permit condition, is 180 days before permit expiration. Reference 3 informed the Ohio Environmental Protection Agency (OEPA) that the new systems addressed in the renewal application would be brought on-line in advance of the NPDES permit absent OEPA direction to the contrary.

During the processing of the initial renewal application, OEPA determined that it would be appropriate to append the application to include the required information for the Waste Pit Remedial Action Project (WPRAP). This information was provided August 31, 1998 (Reference 2) in the required timely manner of 180 days prior to initiation of new discharges (OAC 3745-33-03).

To date, the new FEMP NPDES Permit has not been issued. The existing permit expired March 31, 1998. Under the terms and conditions of the existing permit, existing discharges can continue under an expired permit provided that a complete renewal application was submitted in a timely manner.

The OEPA Central Office, Division of Surface Water, indicated that the draft permit might be issued for public notice by the end of July 1999. While this did not occur, it appears issuance of the draft permit will occur soon.

Therefore, FEMP intends to initiate operation of the WPRAP excavation activities in advance of the NPDES permit being issued. The following supports this intent:

- All FEMP wastewater treatment systems envisioned to manage WPRAP wastewater discharges are in place and functioning as described in the NPDES Permit Renewal Application and addendum. Prior to full-scale WPRAP operations, the discharges from WPRAP will be controlled such that they will be consistent with the quality of wastewater indicated in the NPDES Permit Renewal Addendum. The WPRAP wastewater treatment system will be operational prior to full-scale operations on October 18, 1999.
- While FEMP recognizes the draft NPDES Permit Support Document is subject to change, and a thorough review of the entire draft NPDES Permit will be conducted once issued, FEMP believes that compliance with the proposed limitations is achievable. It does not appear that any treatment system adjustments, expansions, etc., will be required to achieve these proposed limitations.

Mr. Tom Schneider

-3-

2431

AUG 11 1998

FEMP intends to proceed with our current plans to initiate wastewater discharges associated with Waste Pit excavation activities absent directions to the contrary from OEPA.

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

Sincerely,



Johnny W. Reising
Fernald Remedial Action
Project Manager

FEMP:Kappa

cc:

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