



State of Ohio Environmental Protection Agency

**Southwest District Office**

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George V. Voinovich  
Governor

2469

August 23, 1999

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

**Re: CONDITIONAL APPROVAL REMEDIAL ACTION PACKAGE FOR OU1**

Dear Mr. Reising:

This letter provides conditional approval of the Operable Unit 1 Remedial Action Package. Our condition for approval of this package is that DOE shall notify and confer with Ohio EPA regarding the encounter, characterization and disposition of any Non-Typical Wastes until such time as DOE has submitted and Ohio EPA has approved the Non-Typical Waste Management Plan. One additional DOE submittal relevant to this Plan is the NEC Solvent Disposal Area Sampling and Remediation Plan. This Plan shall be submitted prior to excavation in the NEC solvent area.

It is Ohio EPA's expectation that substantive changes to the procedures and methods detailed in the Remedial Action Package will be submitted to Ohio EPA for written concurrence prior to the change being implemented. We consider substantive changes to be those changes that:

1. Affect the ability of the Plan to achieve compliance with ARARs or
2. Increase the potential for discharges to surface water, air, or ground water or
3. Are significant in scope or are non-trivial.

We consider trivial changes to be changes that reconcile minor inconsistencies, correct technical errors or omissions that do not substantially change the design function, or are trivial in nature. Proposed changes to emissions control devices, increases in environmental discharges, waste pit excavation methods, waste pit sequencing strategies should all be considered substantive changes and should be submitted to Ohio EPA for written concurrence.

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Mr. Johnny Reising  
August 23, 1999  
Page 2

- 2469

If you have any questions, please contact Tom Ontko or me.

Sincerely,



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

cc: Jim Saric, U.S. EPA  
Terry Hagen, FDF  
Mark Shupe, HSI GeoTrans  
Francie Hodge, Tetra Tech EM Inc.  
Ruth Vandergrift, ODH