



Department of Energy

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



OCT 18 1999

2557

Mr. James Saric, Remedial Project Manager
U.S. Environmental Protection Agency
Region V, SRF-5J
77 West Jackson Boulevard
Chicago, IL 60604-3590

DOE-0035-00

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

Dear Mr. Saric and Mr. Schneider:

REQUEST FOR ESTABLISHMENT OF TWO TEMPORARY LOADOUT BINS

The purpose of this letter is to request the U.S. Environmental Protection Agency approval to establish two temporary load-out bins in the Material Handling Building (MHB) to support achieving operational year 1999 goals for the processing and load-out of Operable Unit 1 (OU1) waste materials destined for disposal at Envirocare.

As detailed in the approved Remedial Action (RA) package, the Railcar Load-out Building (RLB) contains six load-out bins (each holding approximately 600 cubic yards of material) in which material is stored for load-out pending the results of the sampling and analysis performed on that material. As detailed in the Sampling and Analysis Plan (SAP) for Waste Pit Materials, this sampling consists of taking 20 individual sample increments as the bin is being filled and compositing these into a single sample for analysis. As discussed in Section 2.3.1 of the SAP for Waste Pit Materials, this sampling frequency aligns favorably with the most intensive receipt sampling conducted by Envirocare. Upon receipt of the analytical results, the waste material is either loaded into railcars for shipment to Envirocare, is reprocessed if the material fails the Envirocare Waste Acceptance Criteria (WAC) for certain constituents (e.g., moisture), or is assessed as a non-typical waste if the material in the bin fails due to Resource Conservation and Recovery Act (RCRA) characteristics.

Mr. James A. Saric
Mr. Tom Schneider

-2-

OCT 18 1999

In support of the approved OU1 remediation schedule (i.e., completion by the enforceable milestone date of May 31, 2005), production levels have been defined in the International Technology Corporation (IT) contract with Fluor Daniel Fernald (FDF) for each of the OU1 operational years. As it currently stands, however, for various reasons, the Waste Pits Remedial Action Project (WPRAP) is behind in meeting the established operational year 1999 production goals. If these contractually specified production levels are not achieved, IT may have a basis for requesting an adjustment in the unit rate that applies to the volume of waste readied for shipment. This could effectively result in a smaller volume of waste being shipped for a given expenditure. Therefore, IT is proposing to construct two temporary load-out bins in the MHB, at no additional cost to the Department of Energy (DOE) or FDF, to assist in increasing production capability.

As shown on the enclosed figure, these temporary bins will be constructed along the east wall of the MHB. The bins will be constructed using jersey barriers, with each bin capable of holding approximately 1,200 cubic yards of material. In that the subject temporary loadout bins are being constructed to accommodate material production for operational year 1999, these bins will be eliminated after November 15, 1999 (the end of operational year 1999 as defined by the FDF/IT subcontract), or earlier if the production goals are achieved earlier.

Even though these bins will hold approximately twice the volume of material as the RLB bins, they will be operated consistent with the process defined for the RLB bins. Specifically, the material will be sampled at the same frequency as the material in the RLB bins. With twice the material, this equates to two composite samples being taken for each bin as it is being filled, with the first 20 individual sample increments making up the first composite sample, and the last 20 individual sample increments making up the second composite sample. If this sampling shows that the material meets the Envirocare WAC, the entire bin will be loaded into railcars for shipment to Envirocare. If either of the composite samples demonstrate that the waste material fails the Envirocare WAC for certain characteristics, such as moisture, the entire bin will be reblended and resampled, consistent with the SAP for waste pit materials.

If the sampling and analysis of the material in one of these temporary bins (based on either of the composite samples) shows that the material fails due to RCRA characteristics, the entire 1,200 cubic yards of material will be identified as being non-compliant. DOE, FDF, and IT are acutely aware of the expense associated with managing this larger volume of non-compliant material, and acknowledge concerns by the EPAs over the potential condemnation of such a large volume of material. However, we feel that we are at reduced risk due to the nature of the material, which is expected to be processed during this time period. Specifically, during the time period of the subject activities, a majority of the material to be managed through the facility will continue to be pit cover material, which to date has been orders of magnitude below RCRA characteristic levels. In the unlikely event, however, that the sampling and analysis does show that a bin has failed due to RCRA characteristics, every effort will be made to define and isolate the cause of

Mr. James A. Saric
Mr. Tom Schneider

-3-

2557
OCT 18 1999

this failure. As stated in Section 2.3.4 of the SAP for Waste Pit Materials, this process will be performed in accordance with a plan to be developed and submitted for your agencies' approval, and pursuant to your agencies' direction.

Again, we recognize and accept the risk associated with your agency's enhanced concern with temporary and limited utilization of larger bin sizes. We acknowledge this risk could include a default position by your agency that if any sample exceeds RCRA standards the entire bin will be condemned without an opportunity to "carve out", through the use of an analytical program, any subportion of the bin contributing to the exceedence.

Based on the above, it is requested that your agencies approve the construction and use of these temporary load-out bins in the manner discussed above, and within the timeframes discussed above.

If you have any questions or comments, please contact Dave Lojek at 648-3127.

Sincerely,



Johnny W. Reising
Fernald Remedial Action
Project Manager

FEMP:Lojek

Enclosure

OCT 18 1999

Mr. James A. Saric
Mr. Tom Schneider

-4-

2557

cc w/enclosure:

N. Hallein, EM-42/CLOV
G. Jablonowski, USEPA-V, SRF-5J
T. Schneider, OEPA-Dayton (three copies of enclosure)
F. Bell, ATSDR
M. Schupe, HSI GeoTrans
R. Vandegrift, ODH
F. Barker, Tetra-Tech
AR Coordinator, FDF/78

cc w/o enclosure:

J. Hall, OH/FEMP
D. Lojek, OH/FEMP
A. Tanner, OH/FEMP
T. Hagen, FDF/65-2
J. Harmon, FDF/90
R. Heck, FDF/2
S. Hinnefeld, FDF/31
T. Walsh, FDF/65-2
ECDC, FDF/52-7

