



Department of Energy

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APR 20 2000

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

DOE-0595-00

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

Dear Mr. Saric and Mr. Schneider:

EXTENSION REQUEST: OPERABLE UNIT 5, AREA 9, PHASE I SOILS REMEDIATION PROGRAM

- References:
- 1) Letter DOE 0413-00, J. Reising to J. Saric and T. Schneider, "Request to Extend the Schedule for Area 9, Phase I Certification Document Submittal," dated February 23, 2000
 - 2) Letter DOE-1105-98, G. Griffiths to C. Summe, "Plan for Radiological Measurements and Collecting Soil Samples," dated October 5, 1998

The purpose of this letter is to request, under Section XVIII of the 1991 Amended Consent Agreement, a schedule extension for the submittal of a draft Certification Design Letter (CDL) and associated Project Specific Plan (PSP) for Area 9, Phase I (A9PI). This letter also transmits the draft A9PI Pre-Design Work Plan, PSP, and a proposed schedule for the A9PI Implementation Plan (IP) for your review and approval.

The above referenced letter, dated February 23, 2000, revised the schedule for the submittal of the A9PI CDL and PSP to April 28, 2000. However, as noted in Reference 1, the A9PI soil conditions remained too wet for the completion of the real-time scan portion of pre-certification activities prior to the end of the license agreement for Right-of-Entry to access the private property that had been obtained by the Department of Energy (DOE). The period of the license agreement for Right-of-Entry to the subject property ended on February 29, 2000. Prior to February 29, 2000, efforts have been underway by DOE to secure an addendum or extension to the Right-of-Entry agreement with the property owner. Unfortunately, DOE's efforts have been unsuccessful.

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In parallel with attempting to coordinate an extension to the Right-of-Entry agreement, analytical results were received in March for the nine exploratory segmented soil borings collected as part of the initial phase of the pre-certification activity. These results were shared with you. As you are aware, the results from these soil borings have indicated arsenic and beryllium sampling results in the subsurface at concentrations above their respective off-property Final Remediation Levels (FRL) as defined in the Operable Unit 5 (OU5) Record of Decision (ROD). However, the limited data collected to date is not sufficient to bound the area exhibiting elevated concentrations. DOE presented all the sampling results from the initial phase of work to the property owner on April 3, 2000. Although DOE does not believe these concentrations of arsenic and beryllium represent immediate health concerns to the landowner or the public, a letter will be sent to the Ohio Department of Health (ODH) regarding continued use of the private property.

Due to the sampling results and the lack of an extended Right-of-Entry agreement, all field activities on A9PI have been terminated and the submittal of the CDL will not be possible by the April 28, 2000 date. To date, all pre-certification physical sampling and 25 percent of the pre-certification real-time scanning have been completed. Based on these findings, a pre-design investigation will be initiated as discussed in our April 4, 2000 conference call. This is consistent with the Step 2 remedial activities outlined in the October 5, 1998, letter (Reference 2). The purpose of the pre-design investigation is to collect more physical samples to bound the area of elevated concentrations and to provide the necessary information for the development of remedial alternatives. At the completion of the pre-design investigation, an appropriate path forward will be determined and described in an IP for your review and approval.

Enclosed for your review are the draft A9PI Pre-Design Work Plan and draft PSP for additional sampling. The Pre-Design Work Plan and PSP outline the objectives and approach for conducting the pre-design investigation work in A9PI. Before the proposed field sampling activities can take place, access to the property must be obtained. At the present time, the landowner is resistant to any additional agreements to access the property for additional data collection. DOE will continue to try and obtain access to the property in parallel with your review and approval of the enclosed documents. Based on your approval of the enclosed plan and the DOE's ability to obtain access rights to the property in the near future, DOE proposes to complete the pre-design work and submit an IP by November 1, 2000. The IP will outline the results of the investigation along with a proposed path forward for all the remediation issues in A9PI.

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If you have any questions or require further information, please contact Johnny Reising at (513) 648-3139 or Robert Janke at (513) 648-3124.

Sincerely,



Johnny W. Reising
Fernald Remedial Action
Project Manager

FEMP:R.J. Janke

Enclosures

cc w/enclosures:

N. Hallein, EM-31/CLOV
J. Ebersole, OH/CC
I. Brown, OH/FEMP
K. Nickel, OH/FEMP
J. Reising, OH/FEMP
R. Krupp, Army Corps of Engineers/Louisville District
G. Jablonowski, USEPA-V, SRF-5J
T. Schneider, OEPA-Dayton (three copies of enclosures)
F. Bell, ATSDR
F. Hodge, Tetra Tech
M. Schupe, HSI GeoTrans
R. Vandegrift, ODH
C. Summe, Landowner

AR Coordinator, Fluor Fernald/78

cc w/o enclosures:

D. Carr, Fluor Fernald/2
J. D. Chiou, Fluor Fernald/52-0
T. Hagen, Fluor Fernald/65-2
J. Harmon, Fluor Fernald/90
S. Hinnefeld, Fluor Fernald/31
M. Jewett, Fluor Fernald/52-2
T. Walsh, Fluor Fernald/65-2
ECDC, Fluor Fernald/52-7

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bcc w/enclosures:
R. J. Janke, OH/FEMP

bcc w/o enclosures:
A. Tanner, OH/FEMP

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