



State of Ohio Environmental Protection Agency

Southwest District Office

401 East Fifth Street
Dayton, Ohio 45402-2911
(513) 285-6357
FAX (513) 285-6249

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George V. Voinovich
Governor

June 15, 2000

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

RE: DIAZINON USAGE IN A1P1 WETLAND MITIGATION AREA

Dear Mr. Reising:

During a field visit to the A1P1 Wetland Mitigation Project, Ohio EPA staff noted a heavy application of granular materials around the air monitoring station located between Basins #8 & 7. Subsequent to the observation Ohio EPA requested information regarding the material and its associated labeling requirements for application. Information provided to Ohio EPA shows the material to be Diazinon, a pesticide which is highly toxic to aquatic insects and waterfowl.

It appears the product was used in direct violation of the labeling requirements which state "Do not apply this product to sites occupied by waterfowl or within 75 feet of any body of water that may attract waterfowl.." The label further states, "It is a violation of Federal law to use this product in a manner inconsistent with this labeling." Based upon the label requirements to apply with a spreader and to follow with light watering, it is likely the label requirements were violated at all air monitor locations. Obviously this failure to comply with the labeling requirements necessitates further investigation into the circumstances that lead to it's improper use. Immediate efforts must be taken to remove the material from the wetland project and to assess any potential impacts it may have on the wetland system.

Ohio EPA expects the following actions to be taken to address this problem:

- 1) Immediately remove any remaining pesticide from around the air monitor. Since significant rainfall occurred following application, it seems only appropriate to remove surficial soils as well. Since it is likely that Diazinon was also used at the air monitoring station adjacent to Basin 4, similar measures must be taken there as well.
- 2) Conduct analysis of surface water in the Basin 7 swale and the Basin 4 pond to evaluate the presence of Diazinon. Assess macroinvertebrate populations in both areas to evaluate any damages resulting from Diazinon.

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3) Conduct an investigation of the basis for the use of Diazinon at any air monitor; the application rate used; the license status of the person applying the product; and the failure to follow label requirements. Findings of the investigation should be provided to Ohio EPA and the other Natural Resource Trustees. Considering the toxic nature of this product its use at the Fernald site should be reconsidered and any necessary application closely monitored.

4) Implement site-wide controls to ensure that no pesticides or herbicides will be used within a Restored Area without review and written consent of the Natural Resource group.

If you have any questions, please contact me at (937) 285-6466.

Sincerely,



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

cc: Bob Wulfhorst, Pesticide Regulation Section, ODA
Mike Chezik, DOI
Bill Kurey, USFWS
Jim Saric, U.S. EPA
Terry Hagen, FDF