

**CONDITIONAL APPROVAL OU1 RD WORK PLAN (DOE FEMP MSL
531-0297 HAMILTON COUNTY)**

05/30/95

OEPA DOE-FN
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COMMENTS



State of Ohio Environmental Protection Agency

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FERNALD

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George V. Voinovich
Governor

May 30, 1995

RE: DOE FEMP
MSL 531-0297
HAMILTON COUNTY
CONDITIONAL APPROVAL
OU1 RD WORK PLAN

Mr. Jack Craig
Project Manager
US DOE FEMP
P. O. Box 398705
Cincinnati, OH 45239-8705

Dear Mr. Craig:

This letter provides conditional approval of the "Draft Remedial Design Work Plan for Remedial Actions at Operable Unit 1". The conditions of approval are satisfactory resolutions of the following comments.

1. As a general comment, Ohio EPA believes that wetlands restoration should be incorporated in the Remedial Design from the beginning of the design phase. The possibility of incorporating wetlands design and habitat enhancement to the final closure of the waste pits should be incorporated in the design plans.
2. On page 2-8, lines 4 through 6, the draft plan calls for disposal of construction debris and concrete in a sanitary landfill. The State of Ohio has not reviewed the potential environmental and/or health effects of disposing of materials that meet free release criteria established by DOE Order 5400.5 in a sanitary landfill. There are also potential problems with public perceptions of the disposal of these materials in a sanitary landfill. In addition we foresee the potential for various technical difficulties with the testing and analysis of porous materials such as concrete. There are also potential conflicts with Ohio Revised Code § 3701.914(B) which states in part, "No person shall ...dispose of any low-level radioactive waste except at a facility that is licensed for...disposal under the "Atomic Energy Act of 1954" ...as amended ...regardless of whether the waste has been reclassified as "below regulatory concern"...".

For the above stated reasons, the Ohio EPA believes that it is preferable to dispose of these and similar materials in the on-site disposal facility.

3. On page 2-4, lines 19 and 20, reference is made to remediating the soils under the waste pits to

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levels consistent with OU 5 levels. However on page 3-1, line 10 reference is made to remediating these soils to levels established for OU1. Please add language to page 3-1 that explicitly states that soils beneath the waste pits will be remediated to levels that achieve the lower of the two OUs remediation levels.

4. On page 4-8, Section 4.4.3 ,DOE commits to implementing an air monitoring program that is specific to OU1s remedial activities. Both Ohio EPA and Ohio Department of Health agree that such monitoring is necessary. We anticipate that this monitoring will include real-time monitoring of particulates caused by excavation and transportation activities in addition to source emissions from the drying facility.

If you have any questions, please contact me or Tom Ontko at (513)-285-6073

Sincerely,



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

cc: Jim Saric, U.S. EPA
Terry Hagen, FERMCO
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