

6487



Department of Energy

**Ohio Field Office
Fernald Closure Project
175 Tri-County Parkway
Springdale, Ohio 45246
(513) 648-3155**



APR 14 2005

Mr. Thomas E. Koch
Division of Hazardous Waste Management
Ohio Environmental Protection Agency
401 East 5th Street
Dayton, Ohio 45402-2911

DOE-0219-05

Dear Mr. Thomas Koch:

RESPONSE TO OHIO ENVIRONMENTAL PROTECTION AGENCY NOTICE OF VIOLATION

Reference: Letter, Thomas E. Koch to William J. Taylor, "Hazardous Waste Compliance Evaluation Inspection – Additional Comments and Notice of Violation," dated January 31, 2005.

This letter provides documentation of the characterization and disposition of the thirty containers of uncharacterized waste cited in the referenced letter and provides additional information on the Fernald Closure Project's (FCP) waste characterization process to ensure the timely characterization of newly generated, containerized waste. This information was requested to be submitted by April 15, 2005 in order to resolve a violation of Ohio Administrative Code (OAC) 3745-52-11 requirements identified during your November 18, 2004 inspection of the FCP.

Attachment 1 indicates that characterization of all containers was completed by February 18, 2005 in accordance with the schedule established by Ohio Environmental Protection Agency (Ohio EPA) in the referenced letter. At the time the Notice of Violation (NOV) was issued, the FCP anticipated that all of these containers would be dispositioned by March 31, 2005. This date was extended to April 8, 2005 in order to include the last four containers associated with the NOV in a larger shipment of wastes scheduled for shipment to Envirocare of Utah for treatment. Ohio EPA was notified of this change to the schedule in a March 29, 2005 telephone conversation. Under current schedules, the FCP should complete shipment of all mixed legacy wastes (defined as waste generated prior to January 19, 2004) by the September 30, 2005 date

established to complete the shipment of these wastes in the FCP's Federal Facility Compliance Act (FFCA) Site Treatment Plan. In addition, the FCP has one container of hazardous legacy waste (the "Fred" drum). Sampling conducted of this waste has indicated that it is non-radiologically contaminated (it was originally classified as mixed based on the area where the waste was generated). The FCP is currently researching options for the disposition of this container.

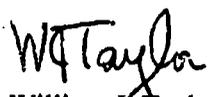
The referenced letter also requests that the FCP provide information on the characterization process to ensure the timely characterization of all newly-generated containerized wastes. The FCP uses Project Waste Identification and Disposition (PWID) reports to ensure that all wastes anticipated to be generated from an activity or project are characterized and packaged at the point of generation for final disposition. The PWID form includes line items for Material Evaluation Form (MEF) numbers, volume estimates, required packaging and disposition. Waste characterization field staff confirm that the waste, as generated, meets the criteria identified in the PWID and that it is properly packaged and labeled for disposition upon generation. A Container Tracking Log is completed to tie the container with the associated MEF number and the information is entered into the SWIFTS database to complete the container characterization. This process is typically completed within a day of generation.

Examples of a PWID report and a CTL are provided as Attachment 2. The characterization process is defined under site procedures, EW-1021 (Preparation of the PWID Report) and EW-1024 (Tracking and Interim Management of Material Requiring Containerization During Project Implementation).

Occasionally, an unanticipated waste is generated for which there is insufficient information to complete a characterization. In these cases, the container is field screened (e.g. pH, reactivity, chlorine, metals, organic vapor monitoring) to provide initial information to manage the waste and to ensure safe storage of the material until characterization is completed. The typical time frame for completing characterization of these wastes is one month – one week to obtain and ship samples off-site for analysis, two weeks (as stated by the contract) for the off-site laboratory to complete the required analyses, and one week to evaluate/review the data and complete the characterization. The FCP tracks the status of these containers using the SWIFTS database to ensure that the characterization of these wastes is completed in a timely manner.

If you have any questions regarding this information, please contact Steve Heffron at (513) 648-5650 or Ed Skintik at (513) 246-1369.

Sincerely,


William J. Taylor
Director

FCP:Skintik

Enclosure: As Stated

cc w/enclosures:

J. Reising, DOE/OH

J. Sattler, DOE/OH

P. Pardi, OEPA

K. Alkema, Fluor Fernald, Inc./MS01

D. Carr, Fluor Fernald, Inc./MS77

B. Schulten, Fluor Fernald, Inc./MS52-3

Disposition OEPA NOV Containers

Inventory Number	MEF Number	Characterization Date	Characterization Determination	EPA Waste Codes	Ship Date	Disposition Path
W035856	2504	1/28/2005	NON-RCRA	NONE	3/1/2005	WPRAP WASTE PITS REMEDIAL ACTION PROJECT
W155654	3895	12/6/2004	RCRA	D043	3/7/2005	ENVIRO-CARE OF UTAH, INC.
W175075	2504	1/29/2005	NON-RCRA	NONE	3/1/2005	WPRAP WASTE PITS REMEDIAL ACTION PROJECT
W176596	2504	1/29/2005	NON-RCRA	NONE	3/1/2005	WPRAP WASTE PITS REMEDIAL ACTION PROJECT
W177320	NONE	1/15/2005	NON-RCRA	NONE	1/15/2005	ON SITE DISPOSAL FACILITY
W180676	2504	1/29/2005	NON-RCRA	NONE	3/1/2005	WPRAP WASTE PITS REMEDIAL ACTION PROJECT
W190594	3824	2/7/2005	RCRA	F001,F002,F003,F005,U019,U210,U211	3/7/2005	ENVIRO-CARE OF UTAH, INC.
W193686	854	2/13/2005	RCRA	D006	3/7/2005	ENVIRO-CARE OF UTAH, INC.
W194382	1447	11/19/2004	RCRA	D001	3/7/2005	ENVIRO-CARE OF UTAH, INC.
W207841	2504	1/29/2005	NON-RCRA	NONE	3/1/2005	WPRAP WASTE PITS REMEDIAL ACTION PROJECT
W207873	3894	1/19/2005	RCRA	D018,D019,D028,D029,D039,D040,D043	3/7/2005	ENVIRO-CARE OF UTAH, INC.
W207875	3901	2/2/2005	RCRA	D035,D040	3/7/2005	ENVIRO-CARE OF UTAH, INC.
W209873	2504	1/29/2005	NON-RCRA	NONE	3/1/2005	WPRAP WASTE PITS REMEDIAL ACTION PROJECT
W215139	20139	2/8/2005	RCRA	D005	4/7/2005	ENVIRO-CARE OF UTAH, INC.
W215140	3896	12/6/2004	RCRA	D008,D018,D043	3/7/2005	ENVIRO-CARE OF UTAH, INC.
W220473	3907	2/8/2005	RCRA	D002,D004,D007,D008,D010,D011,D018,F002	4/7/2005	ENVIRO-CARE OF UTAH, INC.
W220503	3837	2/11/2005	RCRA	F027	2/23/2005	ONYX INDUSTRIAL SERVICES, INC.
W220695	3859	2/16/2005	RCRA	D005,D007,D008,D009	3/7/2005	ENVIRO-CARE OF UTAH, INC.
W228199	3895	12/6/2004	RCRA	D043	3/7/2005	ENVIRO-CARE OF UTAH, INC.
W231854	2754	12/1/2004	RCRA	D018,D019,D028,D029,D039,D040,D043	3/7/2005	ENVIRO-CARE OF UTAH, INC.
W233415	3902	2/2/2005	RCRA	D001,D018,D019,D022,D028,D029,D035,D039,D040,D043	3/7/2005	ENVIRO-CARE OF UTAH, INC.
W233552	3894	2/3/2005	RCRA	D018,D019,D028,D029,D039,D040,D043	3/7/2005	ENVIRO-CARE OF UTAH, INC.
W235329	3902	2/2/2005	RCRA	D039,D040,F002	3/7/2005	ENVIRO-CARE OF UTAH, INC.
W235053	3862	1/24/2005	RCRA	D001,D018,D019,D022,D028,D029,D035,D039,D040,D043	3/7/2005	ENVIRO-CARE OF UTAH, INC.
W235923	2504	1/29/2005	NON-RCRA	NONE	3/1/2005	WPRAP WASTE PITS REMEDIAL ACTION PROJECT
W235978	3903	2/3/2005	RCRA	D008,D018,D019,D022,D028,D029,D039,D040,D043,F002	3/7/2005	ENVIRO-CARE OF UTAH, INC.
W236111	2504	1/28/2005	NON-RCRA	NONE	3/1/2005	WPRAP WASTE PITS REMEDIAL ACTION PROJECT
W236266	1833	12/8/2004	NON-RCRA	NONE	3/22/2005	SOIL PILE 7
W236597	3904	2/7/2005	RCRA	D001,F002,F003,F005	3/7/2005	ENVIRO-CARE OF UTAH, INC.
W246713	3909	2/17/2005	RCRA	D005,D039	4/7/2005	ENVIRO-CARE OF UTAH, INC.

CONTAINER TRACKING LOG

Form No. _____

MEF No. _____

Inventory No. _____

SECTION I. PROJECT INFORMATION			
1. PWID #:		[REDACTED]	
2. Project/Activity Name:			
3. Project Manager:	4. Field Supervisor:		
Phone #:	Phone #:		
5. Off-site Disposal Facility/On-site Project:			
6. Off-site Profile #/Rev. #:			
7. Task Order/Traveler Package/Subcontract #:			
8. Required Checklists:			
9. Absorbent Determination # and Comments:			
SECTION II. CONTAINER PREPARATION			
10. Absorbent Determination Compliance: Yes/No/NA			
SECTION III. CONTAINER FILLING			
11. Source Material Tracking Location:	12.a Description of Waste:	12.b RCRA Waste Code(s) (for the container)	13. SWIPTS Fill Location:
14. Photos: Yes/No	15. Field Tests: Yes/No	16. Required Checklists Posted Yes/No/NA	
SECTION IV. POST-FILLING CONTAINER EVALUATION			
17. Free Liquids: Yes/No/NA	18. Prohibited: Yes/No/NA	19. Void Space: Yes/No/NA	20. Damage: Yes/No
SECTION V. WASTE ACCEPTANCE			
21. Waste Acceptance Seal: Yes/No/NA	22. Waste Acceptance Seal #: Comments:		
23. Signature:		24. Badge #:	25. Signature/Fill Date:
26. Data Entry QA		27. Badge #	28. Date:

04 APR 2005

PROJECT WASTE IDENTIFICATION AND DISPOSITION (PWID) REPORT

Project #:	Project Name:	Date:	Prepared By:	Rev.:	OU:
655	ADMIN COMPLEX D&D	02 JUN 2004	SCOTT OSBORN	0	
<p>Project Description: THIS SCOPE OF THIS PROJECT INCLUDES THE D&D OF BUILDINGS 11 (SERVICES BLDG), 14A (ADMINISTRATION), 14B, 20K (ADMINISTRATION AREA COOLING TOWERS), 31A (ENGINE HOUSE/GARAGE), 46 (HEAVY EQUIPMENT BUILDING), 53B (IN-VIVO BUILDING), AND ASSOCIATED PIPEBRIDGES.</p>					

04 APR 2005

PROJECT WASTE IDENTIFICATION AND DISPOSITION (PWID) REPORT

Profile	MTL Name	Bulk Vol (cu yd)	Weight (lbs)	OSDF WAC	Disposition Comment
820	ADM-001	2			INTACT LEAD ACID BATTERIES (SEE NOTE 1)
874	ADM-001	2			LEAD MATERIAL TO BE CONTAINERIZED FOR OFF-SITE SHIPMENT (SEE NOTE 2).
1585	ADM-001	2			CRACKED/LEAKING LEAD ACID BATTERIES FOR OFF-SITE SHIPMENT
1833	ADM-001	20			NON-HAZARDOUS OILS FOR OFF-SITE DISPOSITION (SEE NOTE 3).
2541	ADM-001	0.5			NON-LEAKING LIGHT BALLASTS (PCB & NON-PCB) TO BE EVALUATED FOR FREE-RELEASE
3732	ADM-001	2			FREE-RELEASE OIL FOR RECYCLING/DISPOSITION
80094	ADM-001	15		PW	MATERIAL NOT MEETING OSDF WAC BUT MEETING WPRAP CRITERIA TO BE DISPOSITIONED AT ENVIROCARE.
92023	ADM-001	4,200		YW	COMPRESSIBLE DEBRIS AND DEBRIS NOT AMENABLE TO STOCKPILING (E.G. DRYWALL) - TO OSDF
94005	ADM-001	288		YW	OSDF CAT 4 (E.G. WOOD) - TO OSDF
95006	ADM-001	330		YW	REGULATED ACM - TO OSDF
95025	ADM-001	300		NW	DEBRIS THAT MEETS FREE-RELEASE CRITERIA - TO RUMPKE (SEE NOTE 4)
921961	ADM-001	226		YW	NON-REGULATED ACM (E.G. FLOOR TILE) - TO OSDF
922007	ADM-001	8,606		YW	CONCRETE - TO OSDF
922241	ADM-001	1,616		YW	STRUCTURAL STEEL - TO OSDF
922844	ADM-001	4,137		YW	INACCESSIBLE METAL - TO OSDF
922852	ADM-001	1,464		YW	LIGHT GAUGE METAL - TO OSDF

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PROJECT WASTE IDENTIFICATION AND DISPOSITION (PWID) REPORT

COMMENTS:

- 1) INTACT LEAD ACID BATTERIES (NON-LEAKING WITH ALL CAPS IN PLACE) SECURE TO A SKID AND TRANSPORT TO STAGING LOCATION.
- 2) LEAD DEBRIS TO BE PLACED INTO SHIPPING DRUM.
- 3) MEF 1833 IS PROVIDED ONLY AS A CONTINGENCY FOR OIL THAT CANNOT BE RELEASED AS NON-RAD. THE PREFERRED DISPOSITION IS FREE-RELEASE FOR RECYCLING. PROJECT TO ESTABLISH A PROGRAM ENSURING FREE-RELEASE TO THE EXTENT FEASIBLE PRIOR TO COMMENCING ACTIVITIES THAT COULD RESULT IN USED OIL THAT WHILE UNCONTAMINATED, COULD NOT BE CLASSIFIED AS NON-RAD.
- 4) COPIES OF DOCUMENTATION RELATING TO THE FREE-RELEASE OF MATERIALS WILL BE PLACED INTO THE PWID FILE.
- 5) ALL WASTE WATER WILL BE MANAGED VIA AN APPROVED WASTE WATER DISCHARGE REQUEST (WWDR) FORM.

PROJECT WASTE IDENTIFICATION AND DISPOSITION (PWID) REPORT

1. Waste Acceptance Organization Section Lead: SCOTT OSBORN	Date:	Comments:
2. Waste Acceptance Organization Manager: SUSAN LORENZ	Date:	Comments:
3. Radiological Engineering: BILL CONNELL	Date:	Comments:
4. Soil and Disposal Facility Project Director: n/a	Date:	Comments:
5. Environmental Compliance: TIM POFF	Date:	Comments:
6. Generator Project Representative: PAT O'NEILL	Date:	Comments:
1,2,3,6 - Complete for all projects 4 - Required when soil is generated or the project involves work being done at or below grade 5 - Required when material is being free-released.		