



State of Ohio Environmental Protection Agency

FERNALD \_\_\_\_\_

401 East Fifth Street  
Dayton, Ohio 45402-2911

Southwest District

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Bob Taft, Governor  
Bruce Johnson, Lt. Governor  
Joseph P. Koncinski, Director

FILE: \_\_\_\_\_

April 28, 2005

Mr. William J. Taylor, Director  
U.S. Department of Energy  
Ohio Field Office  
Fernald Closure Project  
175 Tri-County Parkway  
Springdale, Ohio 45246

**Re: Hazardous Waste Compliance Evaluation Inspection  
Return to Compliance  
US EPA ID # OH6890008976  
Exempt Treatment, Storage, and Disposal Facility**

Dear Mr. Taylor:

On November 18, 2004, the Ohio Environmental Protection Agency (OEPA) inspected the U.S. Department of Energy Fernald Closure Project (FCP) to determine the facility's compliance with Ohio's hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC).

The issues raised in the OEPA letter dated December 29, 2004 were addressed by Ed Skintik in his email dated January 7, 2005. We received FCP's Notice of Violation response letter dated April 14, 2005. The following violation has been abated; OAC 3745-52-11, failure to characterize waste to determine if the waste is a hazardous waste. All of the waste outlined in OEPA's letter dated January 14, 2005 has been properly characterized.

Thank you to the Fernald personal who provided information and responded to this issue over the past several months.

Please be reminded that although Fernald has an extensive waste characterization process, it is ultimately the responsibility of the generator to adhere to OAC 3745-52-11 to ensure that drums are characterized, and characterized in a timely fashion.

Mr. William J. Taylor  
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If you have any questions, I can be reached directly at 937-285-6594.

Sincerely,



Thomas E. Koch  
Division of Hazardous Waste Management

cc: Dinah Crawford, SWDO-DHWM/SWDO File

Ken Alkema, FEMP  
James A. Saric  
Thomas Schneider, OEPA/SWDO/OFFO

Email List:

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TEK/rf

**NOTICE:**

Ohio EPA's failure to list specific deficiencies or violations in this letter, does not relieve your company from having to comply with all applicable regulations.