Ohio EPA
State of Ohio Environmental Protection Agency

Southwest District

401 East Fifth Street
Dayton, Ohio 45402-2911

TELE: (937)285-6357 FAX: (937)285-6249
www.epa.state.oh.us

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

Rec'd 10-16-06

October 12, 2006

Mr. Johnny Reising
US Department of Energy
Fernald Closure Project
175 Tri County Parkway
Springdale, Ohio 45246

RE: DISAPPROVAL -DRAFT CDL FOR AREA 5 ADMINISTRATION AREA AND WPL

Mr. Reising:

Ohio EPA has reviewed DOE's "Transmittal Of The Draft Certification Design Letter For The Area 5 Administration Area And West Parking Lot (20810-PL-0008), Rev A" submitted October 3, 2006. Based upon our review, Ohio EPA disapproves of this CDL and comments are enclosed.

If there are any questions, please contact Donna Bohannon or me at (937) 285-6466.

Sincerely,

Donna Bohannon for

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

cc: Jim Saric U.S. EPA
Michelle Cullerton, Tetra Tech, EMI

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OHIO EPA'S COMMENTS ON THE CDL FOR AREA 5 ADMINISTRATION AND WPL

General Comments:

1. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: General Pg #: Line #: Code: C
Comment: Ohio EPA finds DOE's approach presented in this CDL for Area 5's Administration Area and WPL unacceptable. Precert data was collected previous to the CDL via V/FCNs, both real time and physical samples, of which only the real time was included in the document. If DOE intended to use the data for certification, the plan should have been submitted as a CDL not as various V/FCNs. This approach simply side steps the appropriate process for CU delineation, COC selection and sample location. Since the physical sampling data was collected as part of precertification, it should be presented within the CDL. Any argument for using it as part of certification must be made as part of the CDL and not as part of the certification report.

2. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: General/Figures Pg #: Line #: Code: C
Comment: This CDL presents a "boundary" map of the area but is lacking a Figure which contains a CU design encompassing all of the CU's in the document for certification. This map should include a designation of the area of high leachability. Please provide this information.

Specific Comments:

3. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: 4.1.2 Pg #: 4-2 Line #: 29 Code: C
Comment: The text states that all CU's and sub-CU Figures show certification sampling locations however, the Figure's titles only mention precertification sample locations. This conflict reiterates Ohio EPA's previous comment and shows that the method employed is inappropriate and will lead to confusion over whether the area was actually remediated properly.

4. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: Figure 4-1 Pg #: Line #: Code: C
Comment: Clarification is needed on how DOE separated and sampled the CUs for the 60-Inch Line and the Administration Area and the WPL.

5. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: Figure 4-1 Pg #: Line #: Code: C
Comment: Considering most pipes are continuous, it is unclear why the two CUs for the 60" line are not contiguous. The CDL should be revised to address the data gap between the two 60" line CUs.

6. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: Figure 4-3/VFCN 20810-PSP-0006-01 Pg #: Line #: Code: C
Comment: The fact that CUs 01, 04 and 05 are partially in and out of the high leachability zone would suggest the CUs are not homogeous populations as required by the SEP. This presents a serious concern for certification data evaluation. Obviously, since the CU are split between the 82ppm and 20ppm FRL, the most conservative number (20) must be evaluated against for certification.

7. Commenting Organization: Ohio EPA Commentor: OFFO
Section #: Figure 4-6 Pg #: Line #: Code: C
Comment: The boundary for CU 05, shown on Figure 4-6, needs to be redelineated. It measures larger than 250' X 250' for a Group 1 CU.