



Department of Energy
Ohio Field Office
Fernald Environmental Management Project
P. O. Box 538705
Cincinnati, Ohio 45253-8705
(513) 648-3155



26 JAN 2004
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Mr. Paul Pardi, RCRA Group Leader
 and FFCA Project Manager
 Ohio Environmental Protection Agency
 Division of Hazardous Waste Management
 401 East 5th Street
 Dayton, Ohio 45402-2911

DOE-0112-04

REVISION 9.0 OF THE FERNALD CLOSURE PROJECT'S RESOURCE CONSERVATION AND RECOVERY ACT PART B PERMIT APPLICATION

- References:
1. Letter and Director's Final Findings and Orders (DF&O), T. E. Crepeau, OEPA to P. Hamric, U. S. DOE and J. Bradburne, FERMCO dated June 6, 1996.
 2. Letter, J. Craig, U. S. DOE to P. Pardi, OEPA, "Proposed Strategy for Addressing Revisions to the Fernald Environmental Management Project's Resource Conservation and Recovery Act Part A/B Permit Application," dated September 24, 1997.

Enclosed for your review and approval are updated sections of the Fernald Closure Project's (FCP) Resource Conservation and Recovery Act (RCRA) Part B Permit Application (Revision 9.0). These revisions have been completed in accordance with Section V.9 of the Integrated RCRA/CERCLA Director's Findings and Orders (DF&O), Reference 1, and the guidelines established in Reference 2.

As discussed in a November 5, 2003 telephone call with you and Phil Harris of the Ohio Environmental Protection Agency (OEPA), the submittal date for the Part B Update was extended to January 31, 2004 in order to incorporate recent changes to the site's hazardous waste facilities and operations into the Update. In addition, the FCP proposed at that time not to update certain sections of the Part B (Part A and Section B - Facility Description). These sections provide background information regarding site conditions and quickly become outdated. As a result, these sections are not included in this submittal of the Part B Update.

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Section G (Contingency Plan) is also not included with this transmittal. The contract for providing emergency response services was awarded to Crosby Township and became effective in November 2003. However, there are still ongoing discussions regarding the level of emergency response capabilities that will be retained on-site (in terms of number of emergency personnel and type of equipment). Since these discussions impact the Contingency Plan, the FCP has received approval from the OEPA in a January 5, 2004 e-mail to delay the submittal of the Contingency Plan for one to two months. Based on current information, we intend to submit the revised Contingency Plan to your office by March 19, 2004.

Changes to the application have been made using redlines and strikeouts to assist in reviewing. A summary of these revisions is provided as an enclosure. In accordance with Section V.9 of the referenced DF&O, please provide written confirmation of approval of the RCRA Part B Permit Application, as amended.

If you have any questions, please contact Ed Skintik at (513) 648-3151.

Sincerely,



for

William J. Taylor
Director

FCP:Skintik

Enclosures: As Stated

cc w/enclosures:

P. Allen, OEPA-Columbus

D. Ullrich, USEPA-V

AR Coordinator, Fluor Fernald, Inc./MS78

cc w/o enclosures:

K. Johnson, OH/FCP

P. Harris, OEPA-Dayton

J. Saric, USEPA-V

T. A. Schneider, OEPA-Dayton

T. A. Poff/Fluor Fernald, Inc./MS65-2

T. J. Walsh, Fluor Fernald, Inc./MS52-3

RCRA Operating Record, Fluor Fernald, Inc./MS65-2

**ENCLOSURE
SUMMARY OF CHANGES
TO THE
FERNALD CLOSURE PROJECT'S RCRA PART B PERMIT APPLICATION
(REVISION 9.0)**

SECTION C - WASTE CHARACTERISTICS

1. This section has been revised to: 1) reflect changes to the site name; 2) delete the discussion of compatibility for samples stored in Building 68 since these samples have been dispositioned and the building has been demolished (Section C-2.2, Analysis); 3) clarify the process used verify the characterization of waste streams managed in Satellite Accumulation Areas (Section 2.2) and to remove this discussion from Section C-2.4, Quality Assurance/Quality Control (since it is already discussed in C-2.2); and 4) delete the discussion in Section C-4 (Storage and Management of Wastes) regarding characterization requirements for restricted waste (i.e. waste stored in areas without secondary containment) since the FCP is no longer using these areas for hazardous waste storage.
2. A detailed discussion of procedures and analyses required for accepting off-site waste (laboratory waste and treatability study samples) has been removed from Section C-3 (Waste Acceptance Criteria) and Table C-3 (DOE Waste Categories Descriptions and Analysis Rationale). The FCP is no longer anticipating receiving these wastes back on-site since off-site laboratory contracts now require the labs to dispose of any unused samples and laboratory waste and there are no plans to conduct treatability studies on-site. This section has been revised to state that, in the unlikely event that this would be required, the FCP would contact Ohio EPA prior to accepting this waste in accordance with the Consent Decree and its Stipulated Amendment. Specific requirements for analyses and procedures for accepting this waste back at the FCP would be established at that time.
3. Table C-4 (RCRA Regulated Hazardous Waste) has historically included information on all hazardous waste characterized at the FCP. For this submittal, it has been re-defined to include information only on hazardous waste that is currently in inventory.
4. Attachment C-2 (RCRA Compliance Schedule for Hazardous Waste Streams) has been removed since these schedules have been met.

SECTION D – PROCESS INFORMATION

1. This section has been revised to: 1) reflect changes in the site's name and organization; 2) remove information on the Plant 1 Pad, Plant 8 Warehouse (Building 80), CP Storage Warehouse (Building 56), and the Pilot Plant Warehouse (Building 68) since these units are undergoing remediation and are no longer being used for the storage of hazardous waste; 3) add two new lockers which are being used for the storage of containers of non-radiologically contaminated hazardous waste; 4) indicate the new locations of seven hazardous waste storage lockers that were moved from Plant 1 Pad; and 5) delete references to two lockers that were located on Plant 1 Pad that are no longer being used for the storage of hazardous waste.
2. Figure D-3 (Pre-Storage Checklist) has been removed since this form is no longer being used.

SECTION F – PROCEDURES TO PREVENT HAZARDS

1. This section has been revised to: 1) reflect changes in the site's name; 2) remove information on the Plant 1 Pad and the Pilot Plant Warehouse (Building 68) since these units are undergoing remediation and are no longer being used for the storage of hazardous waste; and 3) add two new lockers which are being used for the storage of containers of non-radiologically contaminated hazardous waste.
2. Section F-1 (Security) was revised to address access restrictions for the two hazardous waste storage lockers located outside of the former production area and to change the name of the Receiving and Incoming Materials Inspection Area (RIMIA) to Building 82 since this building is no longer being used to receive off-site shipments.
3. Section F-3 (Preparedness and Prevention Requirements) was revised to reflect changes in the site's fire water distribution system and to address the transfer of responsibilities for emergency response to an off-site responder.
4. Building 77 has been added to Section F-4(a) (Prevent Hazards in Loading/Unloading Operations) as an area to stage containers of mixed waste prior to off-site shipment. The FCP is proposing to store containers of mixed waste for up to two weeks in this building in order to prepare the containers (i.e. apply DOT labels, complete required radiological surveys and inspections) for off-site shipment.
5. Section F-5(a) (Precautions to Prevent Ignition or Reaction of Ignitable or Reactive Wastes) has been revised to remove references to "No Open Flame" signs since this is not a regulatory requirement. Note that the FCP

does have "No Smoking" signs posted at the entrances to the hazardous waste storage areas.

6. Attachment F-1 (Inspection Schedule) has been revised to remove inspection requirements related to the storage of containers on Plant 1 Pad, to remove references to inspections conducted of on-site emergency response equipment (e.g. fire trucks) and to incorporate changes in the FCP's fire water distribution system.
7. Updated inspection forms for the Plant 6 Warehouse (Building 79) and the Hazardous Waste Storage Lockers are provided as Attachment F-2.

SECTION H - TRAINING

1. This section has been revised to reflect changes in the site's name and organization, to include references to regulations addressed by the site's training program, to update course information, and to outline the responsibilities of the Training Manager and the Training Developer.