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# Ohio EPA

State of Ohio Environmental Protection Agency

## Southwest District Office

401 East Fifth Street
Dayton, Ohio 45402-2911

TELE: (937) 285-6357 FAX: (937) 285-6404

Bob Taft, Governor
Maureen O'Connor, Lt. Governor
Christopher Jones, Director

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February 10, 2004

Mr. William Taylor
U.S. DOE FEMP
P.O. Box 398705
Cincinnati, OH 45329-8705

**RE: COMMENTS - RESPONSES TO OEPA COMMENTS ON THE PROPOSED CHANGES RESULTING FROM THE 2003 ANNUAL REVIEW OF THE IEMP AND AN UPDATED EVALUATION TO ESTIMATE THE POUNDS OF URANIUM DISCHARGED FROM FCP UNCONTROLLED SURFACE WATER RUNOFF**

Dear Mr. Taylor,

Ohio EPA has reviewed DOE's *Responses to the Ohio Environmental Protection Agency Comments on the Proposed Changes Resulting from the 2003 Annual Review of the Integrated Environmental Monitoring Plan, Revision 3 and An Updated Evaluation to Estimate the Pounds of Uranium Discharged from FCP Uncontrolled Surface Water Runoff* received on January 5, 2004. Ohio EPA's comment's on these technical changes are enclosed.

If there are any questions, please contact me at (937) 285-6466 or Donna Bohannon at (937) 285-6543.

Sincerely,

Donna Bohannon for

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

cc: Jim Saric U.S. EPA
Terry Hagen, Fluor Daniel Fernald
Michelle Cullerton, Tetratech
Ruth Vandegrift, ODH
Mark Schupe, HSI Geotrans

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**Responses to OEPA on the 2003 Annual Review of the IEMP and an Updated Evaluation to Estimate the Pounds of Uranium Discharged from FCP Uncontrolled Surface Water Runoff**

**Comments:**

1. Commenting Organization: Ohio EPA Commentor: DSW
Section #: D.4.1.2 Pg. #: D-8 Line #: NA Code: C
Original Comment #: 1
Comment: The response states that "Restoration areas that encompass a suitable habitat for the Indiana bat include Area 1, Phase III and Area 8, Phase II . . . Therefore, additional bat surveys will not be required because activities will not be conducted in suitable bat habitat areas." However, a suitable bat habitat can be found along the Paddys Run riparian corridor. As indicated in John O. Whitaker, Jr.'s Indiana Bat survey proposal "FEMP was visited on April 13, 1994 to determine where miss netting would take place. There is quite a bit of good habitat along Paddys Run and its tributaries." We have always considered the Paddys Run riparian corridor as potential habitat for the federally endangered Indiana bat (*Myotis sodalis*). By improving the riparian flood plain and reducing the incising that is occurring in Paddys Run, this habitat will only continue to improve. We also consider this corridor to be considered for possible disturbance until the site has finished its restoration activities along the entire riparian corridor. Therefore the original comment remains, and bat surveys should not be eliminated.

2. Commenting Organization: Ohio EPA Commentor: DSW
Section #: Global and attachment D Pg. #: NA Line #: NA Code: C
Original Comment #: 2
Comment: We feel your arguments for eliminating the monitoring of barium, cadmium, and silver under the IEMP and discontinuing evaluation of these constituents under BTVs is insufficient (e.g., the NPDES permit could change, the IEMP sampling locations are different from the NPDES locations, etc.). These constituents should continue to be monitored under the IEMP and evaluated as BTVs, the proposal to discontinue is unacceptable.

3. Commenting Organization: Ohio EPA Commentor: DSW
Section #: Enclosure A, A.1.2 Pg. #: A-3 Line #: Code: C
Original Comment #: NA
Comment: The proposal is to use median rather than 95 percent UCL values (without removing "outliers"). The method used should be as that used in the previous calculations. Changing to a median value is not justified. Samples are not taken at all uncontrolled areas often enough, or during enough phases of a discharge event to justify use of a median value. It has been acceptable to stakeholders and the regulatory agencies to use the 95 percent UCL values and this method should remain as the standard practice, continuing to provide the conservative values acceptable to stakeholders. OEPA will not approve the proposed change in method.

4. Commenting Organization: OEPA Commentor: GeoTrans, Inc.
Section #: NA Pg.#: A-2 Line #: 29 Code: C
Original Comment #:
Comment: The objective of the calculation is to estimate total uranium mass loading per inch of precipitation from a set of surface water total uranium concentrations measured through time. It is inappropriate to substitute the median for the 95 percent UCL on the mean in the loading calculation. The inclusion of "first flush" high concentrations in the calculation of the mean is important because this runoff is significant to the overall mass loading. The mean more closely approximates the concentration that would be obtained if all runoff through time were somehow mechanically mixed and sampled, which is the concentration appropriate to the loading calculation. Use of the sample median in the determination, however, will underestimate the overall loading because it is noninclusive of the higher concentration samples.