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**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

October 4, 2011

US DOE-PORTS
PIKE COUNTY
DERR CORRESPONDENCE

Kristi Wiehle, Site Coordinator
Portsmouth/Paducah Project Office
US Department of Energy
Post Office Box 700
Piketon, Ohio 45661

Joel Bradburne, Site Lead
Portsmouth/Paducah Project Office
US Department of Energy
Post Office Box 700
Piketon, Ohio 45661

RE: Remedial Investigation and Feasibility Study Work Plan for the Process Buildings and Complex Facilities Decontamination and Decommissioning Evaluation Project

Dear Ms. Wiehle and Mr. Bradburne:

Ohio EPA completed the review of the D3 version of the Remedial Investigation and Feasibility Study (RI/FS) Work Plan for the Process Buildings and Complex Facilities Decontamination and Decommissioning Evaluation Project submitted on September 14, 2011 via e-mail. The document was prepared and submitted to Ohio EPA for concurrence pursuant to the requirements in the *Director's Final Findings and Orders for Removal Action and Remedial Investigation and Feasibility Study and Remedial Design and Remedial Action for the Portsmouth Gaseous Diffusion Plant* (Decontamination and Decommissioning Project), (hereinafter DFF&O). In accordance with Section XV of the DFF&O, Ohio EPA is transmitting comments on the September 14 version of the document. Please revise the document to incorporate the necessary changes reflected in Ohio EPA's comments. Once US DOE has made the necessary changes to the document, Ohio EPA will review the revised document for concurrence and finalization.

If you have any questions regarding this correspondence, please do not hesitate to contact me at 740-380-5289 or maria.galanti@epa.ohio.gov.

Sincerely,



Maria Galanti
Site Coordinator
Division of Environmental Response and Revitalization

MG/jg

cc: Dennis Carr, FPB, LLC
Vincent Adams, Site Director, PPPO-PORTS
William Murphie, Manager, Portsmouth/Paducah Project Office

1. Section 1, 2nd paragraph, last sentence. Please insert the word "process" after CERCLA.
2. Section 1, 4th paragraph, 2nd sentence. Please delete the "CERCLA" reference. The decision being made is a DFF&O decision, utilizing the CERCLA process as a framework. It is not a CERCLA decision. Please delete other references to "CERCLA actions." (See, for example, page 17, Section 3.2.1, 4th paragraph).
3. Section 3.1.5. The DFF&O does not require that NEPA criteria be used to evaluate the project. Please delete the reference to NEPA or, alternatively, DOE can indicate in a separate sentence that it will include its NEPA analysis as part of its submissions.
4. Section B.1, first paragraph. Delete the reference to "40 CFR 300.430(f)(1)(ii)(C)" and replace with "in accordance with the DFF&O." See, for example, paragraph 12. a.ii of the DFF&O, etc.
5. Please label the possibility of an on-site disposal cell as a contingent alternative. In the BOP EE/CA, this was labeled as alternative 2a. The same approach would be acceptable for this document. As indicated in paragraph 12a of the DFF&O, an on-site disposal cell cannot be relied upon unless and until an OSDC is selected as a final remedy and until the prerequisites specified in paragraph 12 of the DFF&O are met. In the event a Waste Disposition ROD has not been finalized that selects an OSDC as a component of the remedial alternative, the process building ROD will be required to indicate that all waste from process building demolition be taken off-site and also would be required to include the information identified in paragraph 12, including the items listed in 12.a.i through 12.a.v. of the DFF&O
6. Pursuant to our discussions, wherever DOE refers to on-site actions in the context of whether or not a permit would be required, please add the word "entirely" in front of references to "on-site."
7. Section B.4.3. Transportation, first sentence. This sentence is inaccurate. Substantive requirements apply to both on and off-site actions. It is the administrative requirements that do not apply to entirely on-site actions. Please rephrase. Alternatively, this sentence can simply be deleted.
8. Section B.4.3, Transportation, last paragraph. This paragraph refers to this action as a CERCLA action when it is an action taken pursuant to Ohio's laws and regulations utilizing a CERCLA process as a framework. Please rephrase.
9. The NPDES storm water runoff general construction permit is an ARAR. It is promulgated pursuant to the Ohio's statutes and rules (i.e., it is a final action of the Director), subject to appeal, and of general applicability. See also, OAC Rules 3745-39-04(B)(15), 3745-39-04(A)(1)(b), 3745-39-04(B)(16)(a), and 3745-39-04(A)(7)(a)(ii).