

Shelia Mcfalls

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Subject: Resolution of Additional EPA Comments on the Explanation of Significant Difference for the Revision 1 Record of Decision Remedial Alternative Selection for the Wetland Area at Dunbarton Bay in Support of Steel Creek Integrator Operable Unit *

* (SRNS-RP-2022-00982, Redline Revision 1, April 2023)

SRNS-J2000-2023-00258

Jon and Susan,

The Savannah River Site (SRS) submitted the Explanation of Significant Difference (ESD) for the Revision 1 Record of Decision Remedial Alternative Selection for the Wetland Area at Dunbarton Bay in Support of Steel Creek Integrator Operable Unit (SRNS-RP-2022-00982, Revision 1 Redline, April 2023) and SRS responses to the regulatory comments on the Revision 0 document to the South Carolina Department of Health and Environmental Control (SCDHEC) and U. S. Environmental Protection Agency (EPA) on April 11, 2023 (RDDD-23-003). The EPA approved the redline document and comments responses on April 12, 2023. As part of EPA's process, Jon presented the ESD to their internal review group. During this internal review, four additional comments were generated on the document. On April 21, 2023, the U. S. Department of Energy (DOE) emailed responses to the comments. EPA replied on April 21, 2023 that the responses were acceptable, and they would appreciate the modified text in the response to Comment 2 being incorporated into the ESD. DOE agrees that the modified text be documented in the Revision 1 clean copy of the ESD. This email will be placed in the Administrative Record File to document the discussion and the minor text change. It will also be referenced in the submittal letter for the Revision 1 clean copy of the ESD.

Comment 1:

Introduction: EPA questioned the use of "concurrence" vs. "approval" regarding the following text: *"This Explanation of Significant Difference (ESD) is being issued by the United States Department of Energy (USDOE), the lead agency for the Savannah River Site (SRS) for remedial activities, with concurrence by the United States Environmental Protection Agency (USEPA) – Region 4 and the South Carolina Department of Health and Environmental Control (SCDHEC)."*

Response:

The use of concurrence is appropriate and consistent with language in the Federal Facility Agreement (FFA). FFA Section XV. Statement of Basis/Proposed Plan(s)/Record(s) of Decision states: "Notice of the final Record(s) of Decision shall be published by the DOE with EPA's and SCDHEC's concurrence and shall be made available to the public prior to the commencement of the corrective/remedial action(s), in accordance with Sections 117(b), (c), and (d) of CERCLA, 42 U.S.C. §§ 9617(b), (c), and (d)." The FFA (XV) also says Records of

Decision (RODs) are signed “if the Parties agree on the RODs...” No change to the Wetland Area at Dunbarton Bay (WADB) ESD is proposed.

Comment 2:

Section II, Site History and Selected Remedy/Previous Actions: EPA questioned whether disposal capacity at a receiving facility is really a reason to modify the remedy. Couldn't another disposal facility be used? Even discovery of 1 additional acre of ash (compared to the 38 acres of ash deposition) doesn't really seem like a convincing reason to modify the remedy. Seems to me that the saturated condition of the SARA makes excavation very difficult - and that is the real reason to modify the remedy.

Response:

The disposal facility had to build a special “cell” for disposal of ash. The facility could not mix the ash in with other waste. This would be true for other disposal facilities, and limits the options/increases costs for disposal. Although the receiving facility capacity is a legitimate part of the reason to modify the remedy, the saturated conditions is the most compelling reason because continued operation would have required specialized equipment to operate due to the structurally unstable conditions. The presence of hydric soils underlying the ash depositional area within the South Ash Remediation Area (SARA) and additional ash area indicates the perched water condition is a persistent condition that would hamper ash removal regardless of the seasonal aspect. In the Soil Survey of the Savannah River Plant Area, Parts of Aiken, Barnwell, and Allendale Counties, South Carolina, the type of soil present, “Pickney sand,” is described as frequently flooded and poorly drained for long periods. These soils are located on floodplains/historic floodplains that have no well-defined channels. The Soil Survey also states that the “flooding and the wetness severely restrict the use of equipment,” therein referring to vehicles. As such, continued/partial excavation is not being pursued.

For clarity, the last sentence of the first paragraph under *Previous Actions* will be replaced with the following text: “Due primarily to the saturated conditions in the remediation area, but also the discovery of additional ash and restrictions on disposal volume and moisture content that were imposed by the disposal facility, the decision was made to suspend further excavation of the remaining SARA (SRNS 2020).”

Comment 3:

Section II, Site History and Selected Remedy/Selected Remedial Action: EPA recommended omitting the underlined phrase because “Not sure it adds anything and it may imply that we expect concentration levels to decrease”: *An expanded LUC boundary is required since the remedy leaves hazardous substances in place, beyond the existing LUC boundary, that pose a potential future risk and includes required land use restrictions until the concentrations of hazardous substances in the ash/soil media are at levels suitable for unrestricted use and exposure.*

Response:

This language is based on comments from EPA Headquarters (HQ) legal during development of the ROD and Land Use Control Implementation Plan (LUCIP) templates in 2003-2004 and is part of the approved ROD and LUCIP templates since. SRS RODs, ROD Amendments, ESDs, and LUCIPs approved since 2004 have included this language to describe the duration of land use controls and explain why they are needed (i.e., because of hazardous substances at levels that currently preclude unrestricted use). No change to the WADB ESD is proposed.

Comment 4:

Section V, Statutory Determinations: EPA recommended omitting the underlined phrase because “Deleting that phrase would ensure that we aren't inadvertently implying that we expect concentrations to change. The last sentence of this paragraph covers the longevity of the LUCs”: *The selected remedial action for the WADB leaves hazardous substances in place that pose a potential future risk and will require land use restrictions. LUCs, implemented as part of the remedial action, will be maintained until the concentration of hazardous substances in the soil are at such levels to allow for unrestricted use and exposure. An addendum to the existing Land Use Control Implementation Plan (LUCIP) (SRNS 2018b) will be prepared by the USDOE that describes the expanded LUC*

boundary and sign locations. The USDOE is responsible for implementing, maintaining, monitoring, reporting upon, and enforcing the LUCs selected under this ESD. The LUCIP will remain in effect unless, and until, modifications are approved by USEPA and SCDHEC as needed to be protective of human health and the environment.

Response:

This language is based on comments from EPA HQ legal during development of the ROD and LUCIP templates in 2003-2004 and are part of the approved ROD and LUCIP templates since. SRS RODs, ROD Amendments, ESDs, and LUCIPs approved since 2004 have included this language to describe the duration of land use controls and explain why they are needed (i.e., because of hazardous substances at levels that currently preclude unrestricted use). No change to the WADB ESD is proposed.

If you have any questions regarding this correspondence, please contact Brian Hennessey at (803) 952-8365.

Thanks

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