



State of Ohio Environmental Protection Agency

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MAR 15 2010 P.O. Box 1049
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ENTERED DIRECTOR'S JOURNAL

MAR 15 2010

Department of Energy
Portsmouth Site Office
P. O. Box # 700
Piketon, Ohio 45661-0700

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By: John Lassiter Date: 3-15-10

Attn.: William E. Murphie, PPPO Manager

**RE: DOE-PORTS, X-749A Industrial Solid Waste Landfill Facility
Ohio Administrative Code (OAC) Rule 3745-29-10(E)(7) Approval**

Dear Mr. Murphie:

On June 14, 2007, the Southeast District Office (SEDO) of the Ohio Environmental Protection Agency (Ohio EPA) received a Ground Water Quality Assessment Plan (GWQAP) from the Department of Energy (DOE) for the X-749A Industrial Solid Waste Landfill (X-749A Landfill), located at the DOE PORTS site in Pike County. The assessment plan was submitted following a statistical trigger of alkalinity in downgradient ground water monitoring well X749A-01G. This document was submitted to Ohio EPA in accordance with OAC Rule 3745-29-10(E), as promulgated in 1994, in accordance with requirements of Director's Final Findings and Orders which were issued to the U.S. Department of Energy and Bechtel Jacobs Company LLC on March 18, 1999.

Upon entering into assessment, monitoring well X231-01G also triggered for alkalinity. It was subsequently determined that a nearby DOE-operated pump-and-treat system had changed the gradient and altered the direction of ground water flow. DOE subsequently installed three additional ground water monitoring wells: X749A-17G, X749A-18G, and X749A-19G. These wells replaced monitoring wells X749A-01G and X231-01G, which were both removed from the X-749A Landfill ground water monitoring program after it was determined that neither well yielded ground water samples that represent the quality of the ground water passing directly downgradient of the waste limits of the X-749A Landfill.

On October 1, 2009, SEDO received a document titled "Second Quarter 2009 Semiannual Rate and Extent for the X-749A Landfill at the Portsmouth Gaseous Diffusion Plant." This document was submitted to Ohio EPA in accordance with OAC Rule 3745-29-10(F), as promulgated in 1994. This constitutes the fifth determination of rate and extent since entering assessment.

In accordance with OAC Rule 3745-29-10(E)(7), as promulgated in 1994, DOE is requesting to return the X-749A Landfill to detection monitoring. The document includes a demonstration that the X-749A Landfill is not the source of contaminants to ground water evaluated by the assessment plan. Further, DOE has demonstrated that the aforementioned contaminant found in monitoring wells X749A-01G and X231-01G is from sources other than the X-749A Landfill.

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

Ohio EPA has reviewed the information within this demonstration. Based on the information provided, Ohio EPA concurs with the demonstration that the above noted change in alkalinity in monitoring wells X749A-01G and X231-01G is not the result of the X-749A Landfill.

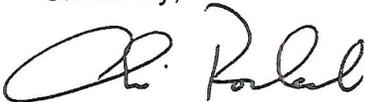
Pursuant to OAC Rule 3745-29-10(E)(7)(b), as promulgated in 1994, the owner/operator is hereby authorized to reinstate the detection monitoring program at the DOE X-749A Industrial Solid Waste Landfill as described in OAC Rule 3745-29-10(C) and (D) as follows: Upon the effective date of this approval, the owner/operator is no longer required to comply with OAC Rule 3745-29-10(E) for the aforementioned monitoring wells and parameter.

You are hereby notified that this action of the director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Ohio Treasurer Kevin Boyce," which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
309 South Fourth Street, Room 222
Columbus, OH 43215

If you have any questions or require further assistance, please contact Mr. Daniel Bergert of Ohio EPA's Southeast District Office at (740) 380-5438.

Sincerely,



Chris Korleski
Director

CK/KM/sw

cc: Ms. Sandy Colegrove, Pike County Health Department
Mr. Steve Rine, DSIWM, SEDO
Mr. Paul Kreitz, LATA/Parallax Portsmouth (LPP) LLC
Ms. Maria Galanti, DERR, SEDO