



**Environmental
Protection Agency**

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

OHIO E.P.A.

MAY 16 2011

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

By: Kelley M. Mink Date: 5/16/11

Attention: William E. Murphie, PPPO Manager

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

Dear Mr. Murphie:

On April 29, 2011, the Southeast District Office (SEDO) of the Ohio Environmental Protection Agency (Ohio EPA) received a request for an alternate source demonstration 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 request was submitted following a statistically significant increase of chloride in down gradient ground water monitoring well X749A-12G at the X-749A Landfill. On March 18, 1999, a consent order was signed with Ohio EPA that required DOE to follow Ohio Administrative Code (OAC) Chapter 3745-29, as effective in 1994, for the X-749A Landfill. In accordance with OAC Rule 3745-29-10(D)(7)(b), DOE notified the Director of the statistically significant change from background values within the required seventy-five days of withdrawing the samples. Upon detection of the statistically significant increase, verification resampling occurred, which confirmed the presence of elevated chloride in the well. Once confirmed, DOE subsequently reviewed historic ground water data and determined that chloride levels of ground water up gradient of the landfill have substantially increased. It appears that winter salt application on the parking lot for the X-100 building may be the source of the chloride detected at the X-749A Landfill. DOE's request demonstrates that a source up gradient of the landfill is the cause of the increased chloride concentration being detected in monitoring well X749A-12G.

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 chloride in monitoring well X749A-12G is not the result of the X-749A Landfill.

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Pursuant to OAC Rule 3745-29-10(D)(7)(c), as effective in 1994, the owner/operator is hereby authorized to remain in the detection monitoring program at the DOE X-749A Industrial Solid Waste Landfill as described in OAC Rule 3745-29-10(C) and (D) for the well and parameter specified above.

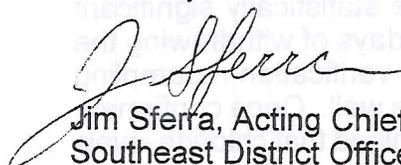
Should future ground water sampling results indicate statistically significant increases in ground water monitoring parameters at any of the detection monitoring wells, you must either enter into assessment monitoring in accordance with OAC Rule 3745-29-10(E), as effective in 1994, or obtain an approval to continue in the detection monitoring program.

You are hereby notified that this action of the Director of Environmental Protection (Director) is final and may be appealed to the Environmental Review Appeals Commission pursuant to Ohio Revised Code Section 3745.04. 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 "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated 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 Dan Bergert of Ohio EPA's Southeast District Office at (740) 380-5438.

Sincerely,



Jim Sferra, Acting Chief
Southeast District Office
for Scott J. Nally, Director

cc: Mr. Kevin Astin, Pike County General Health District
Mr. Scott Hester, DMWM, CO
Mr. Steve Rine, DMWM, SEDO
Mr. Vince Adams, DOE
Ms. Kristi Wiehle, DOE

JS/DB/jg