

Department prepared an integrated Feasibility Study/Proposed Plan-Environmental Impact Statement (FS/PP-EIS) (DOE/EIS-0195). Subsequent to the public involvement opportunities on the draft and final FS/PP-EIS documents, and after having considered the comments received, a remedy was selected in a joint CERCLA/NEPA ROD. The Department is publishing this Declaration Statement of the joint CERCLA/NEPA ROD, as originally signed in November 1994, as specified in the Department NEPA regulations [10 CFR 1021.315(c)].

**FOR FURTHER INFORMATION CONTACT:**

For further information on the CERCLA/NEPA ROD at Fernald, contact: Mr. Gary Stegner, Public Affairs Specialist, Fernald Area Office, U.S. Department of Energy, P.O. Box 538705, Cincinnati, Ohio 45253-8705, (513) 648-3014.

For further information on the DOE NEPA process, contact: Ms. Carol M. Borgstrom, Director, Office of NEPA Oversight, EH-25, U.S. Department of Energy, 1000 Independence Ave, SW., Washington, D.C. 20585, (202) 586-4600 or (800) 472-2756.

Issued in Washington, D.C., this 30th day of December, 1994.

**Clyde Frank,**

*Acting Assistant Secretary for Environmental Management.*

**SUPPLEMENTARY INFORMATION:** The following is the *verbatim* Declaration Statement of the joint CERCLA/NEPA ROD for Remedial Actions at OU4 at Fernald, Ohio.

**Site Name and Location**

Fernald Environmental Management Project (FEMP) Site—Operable Unit 4, Fernald, Hamilton County, Ohio

**Statement of Basis and Purpose**

This decision document presents the selected remedial action for Operable Unit 4 of the Fernald Site in Fernald, Ohio. This remedial action was selected in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), and to the extent practicable 40 Code of Federal Regulations (CFR) Part 300, the National Oil and Hazardous Substances Pollution Contingency Plan (NCP).

For Operable Unit 4 at the FEMP, DOE has chosen to complete an integrated CERCLA/NEPA process. This decision was based on the longstanding interest on the part of local stakeholders to prepare an Environmental Impact Statement (EIS) on the restoration

activities at the FEMP and on the recognition that the draft document was issued and public comments received. Therefore, this single document is intended to serve as DOE's ROD for Operable Unit 4 under both CERCLA and NEPA; however, it is not the intent of the DOE to make a statement on the legal applicability of NEPA to CERCLA actions.

The decision presented herein is based on the information available in the administrative record for Operable Unit 4 and maintained in accordance with CERCLA. The major documents prepared through the CERCLA process include the Remedial Investigation (RI), the Feasibility Study (FS), and the Proposed Plan (PP) for Operable Unit 4. The FS and the PP also comprised DOE's draft EIS and were made available for public review and comment. This decision is also based on the public hearing held on March 21, 1994, in Harrison, Ohio, and the public meeting held on May 11, 1994, in Las Vegas, Nevada following the issuance of the Feasibility Study/Proposed Plan-Draft Environmental Impact Statement (FS/PP-DEIS). DOE has considered all comments received during the public comment period on the FS/PP-DEIS and following issuance of the final EIS in the preparation of this ROD.

The State of Ohio concurs with the remedy and the applicable or relevant and appropriate requirements (ARARs) put forth in this ROD for Operable Unit 4.

**Assessment of the Site**

Actual or threatened releases of hazardous substances from Operable Unit 4, if not addressed by implementing the response action selected in this ROD, may present an imminent and substantial endangerment to public health, welfare, or the environment.

**Description of the Remedy**

This is the selected remedial action for Operable Unit 4, one of five operable units at the FEMP. The materials within Operable Unit 4 exhibit a wide range of properties. Most notable would be the elevated direct radiation associated with the K-65 residues versus the much lower direct radiation associated with cold metal oxides in Silo 3. Even more significant would be the much lower levels of contamination associated with the soils and building materials, like concrete, within the Operable Unit 4 Study Area. To account for these differences and for the varied cleanup alternatives applying to each waste type, Operable Unit 4 was segmented into

three subunits. These subunits are described as follows:

Subunit A: Silos 1 and 2 contents (K-65 residues and bentonite clay) and the sludge in the decant sump tank  
Subunit B: Silo 3 contents (cold metal oxides)

Subunit C: Silos 1, 2, 3, and 4 structures; contaminated soils within the Operable Unit 4 boundary, including surface and subsurface soils and the earthen berm around Silos 1 and 2; the decant sump tank; the radon treatment system; the concrete pipe trench and the miscellaneous concrete structures within Operable Unit 4, any debris (i.e., concrete, piping, etc.) generated through implementing cleanup for Subunits A and B, and any perched groundwater encountered during remedial activities.

On the basis of the evaluation of final alternatives, the selected remedy addressing Operable Unit 4 at the FEMP is a combination of Alternatives 3A.1/Vit—Removal, Vitrification, and Off-site Disposal—Nevada Test Site (NTS); 3B.1/Vit—Removal, Vitrification, and Off-site Disposal—NTS; and 2C—Demolition, Removal and On-Property Disposal. These alternatives apply to Subunits A, B, and C respectively. The major components of the selected remedy include:

- Removal of the contents of Silos 1, 2, and 3 (K-65 residues and cold metal oxides) and the decant sump tank sludge.
- Vitrification (glassification) to stabilize the residues and sludges removed from the silos and decant sump tank.
- Off-site shipment for disposal at the NTS of the vitrified contents of Silos 1, 2, 3, and the decant sump tank.
- Demolition of Silos 1, 2, 3, and 4 and decontamination, to the extent practicable, of the concrete rubble, piping, and other generated construction debris.
- Removal of the earthen berms and excavation of contaminated soils within the boundary of Operable Unit 4, to achieve remediation levels. Placement of clean backfill to original grade following excavation.
- Demolition of the vitrification treatment unit and associated facilities after use. Decontamination or recycling of debris prior to disposition.
- On-property interim storage of excavated contaminated soils and contaminated debris in a manner consistent with the approved Work Plan for Removal Action 17 (improved storage of soil and debris) pending final disposition in accordance with the