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Formerly Utilized Sites Remedial Action Program (FUSRAP)

ADMINISTRATIVE RECORD

for Maywood, New Jersey



U.S. Department of Energy



107213 93 . 943
Department of Energy

Oak Ridge Operations
P.O. Box 2001
Oak Ridge, Tennessee 37831-8723

August 11, 1993

Mr. George Pavlou, Acting Director
Emergency & Remedial Response Division
U.S. Environmental Protection Agency
Region II
Jacob K. Javits Federal Building
26 Federal Plaza
New York, NY 10278

Dear Mr. Pavlou:

MAYWOOD SITE - RESOLUTION OF DISPUTE ON CLEANUP CRITERIA

The purpose of this letter is to document the decisions we have made as the Dispute Resolution Committee, concerning the cleanup criteria for the Maywood site. As a result of our August 3 meeting in New York the following was agreed upon.

1. DOE will show that the proposed cleanup criteria for the radiologically contaminated soils at the Maywood site lead to post-remediation levels that are protective by Superfund criteria, i.e., within the EPA risk range of E-04 to E-06.

In response to this agreement, DOE submitted additional risk analyses to EPA supporting these criteria on Monday, August 9, 1993. The information submitted incorporates all areas of concern expressed by EPA in our August 3 meeting. (Specifically, the erosion factors and a more realistic assumption on groundwater consumption.) The criteria used for this analysis are: 5 picocuries per gram (pCi/g) in surface soils (top 15 centimeters) and 15 pCi/g in any subsequent 15 centimeter layer. The exposure assumptions were based on site specific conditions at the Maywood site.

2. DOE will evaluate the impacts of not identifying the 40 CFR 192 regulations as relevant and appropriate to the conditions at the Maywood site.

The 40 CFR 192 regulations will not be identified as relevant and appropriate in the Maywood Feasibility Study and Proposed Plan. However, DOE Order 5400.5, which identifies the 5/15 pCi/g criteria for residual thorium contamination, will be identified as "to-be considered" criteria.

Mr. George Pavlou

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August 11, 1993

3. DOE will develop a risk based standard for the replacement of the Phase II treated soils on the commercial properties.

DOE agrees to apply a risk-based standard for the replacement of treated soils on the Maywood Interim Storage Site, the Stepan property and if necessary, adjacent commercial properties. This standard will be developed to meet the same EPA risk criteria stated above.

4. The difference in risks posed by thorium, versus radium, contaminated sites were discussed, with the understanding reached that risk based cleanup criteria for a thorium site will be different than for a radium site since radon-222 is not a concern.

Concurrence at the bottom of this letter will indicate resolution of the dispute between the Department of Energy and the Environmental Protection Agency. If concurrence is not obtained by August 18 then the dispute will be elevated by DOE to the Senior Executive Committee.

If you have any questions or require further information please call me at (615) 576-0948.

Sincerely,



Lester K. Price, Director
Former Sites Restoration Division

George Pavlou

Date

Signature Indicates Resolution of
Dispute on Maywood Cleanup Criteria

FUSGRAP

107213

FAX



Date: 8/11/93

To: George Paulou

Fax #: _____

From: Les Price

Phone #: 615-576-0948

Pages to Follow: 2

MESSAGE

The attached letter describes the basis for our resolution of the dispute.

You should consider it as draft, even though I went ahead and signed it just in case you happen to like it, as is.

LP

FACSIMILE
615-576-0956

VERIFICATION
615-576-0948

FORMER SITES RESTORATION DIVISION
U.S. DEPARTMENT OF ENERGY, EW-93
P.O. BOX 2001
OAK RIDGE, TN 37831-8723

*** ACTIVITY REPORT ***

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