



Pennsylvania Department of Environmental Protection

Rachel Carson State Office Building

P.O. Box 8469

Harrisburg, PA 17105-8469

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Bureau of Radiation Protection

717-787-2480

Fax: 717-783-8965

Post Docket: 70-3085

Mr. William Lenart, Project Manager
Programs and Project Management Division
Department of the Army
Pittsburgh District, Corps of Engineers
1000 Liberty Avenue
Pittsburgh, PA 15222

Re: Review of the Final Feasibility Study and Proposed Plan (FS/PP) for the Shallow Land Disposal Area Site, Parks Township, Armstrong County, Pennsylvania, Department of Army, September 2006

Dear Mr. Lenart:

The Pennsylvania Department of Environmental Protection (PADEP) has reviewed the subject report and is providing the following comments based on our review and recent meeting with you and U.S. Army Corps of Engineers (USACE) staff. PADEP comments were discussed with you during your technical presentation on the Shallow Land Disposal Area (SLDA) Proposed Plan (PP). This technical presentation and discussion was held at the PADEP Southwest Regional Office on February 21, 2007. As was agreed to at this meeting, PADEP is formally providing comments on the FS/PP in this letter.

Comments on the FS/PP are primarily focused on the PP and the chosen remedial action alternative, i.e. Excavation, Treatment, and Off-site Disposal (Alternative 5).

On a conceptual basis, the PADEP is in agreement with the chosen remedial action as being the most protective of human health and the environment. However, there are two major issues that have been identified in our review of the FS/PP and are discussed in this letter.

The first major issue involves the assumption that radiologically impacted waste from the SLDA would be transported to and disposed of at a solid waste disposal facility in Pennsylvania. The PP indicates that approximately 30,000 cubic yards of radiologically impacted waste could be sent for disposal at a Pennsylvania solid waste disposal facility located near the SLDA. As was discussed at the February 21, 2007 meeting, waste impacted from radioactive material associated with remediation at a Formerly Utilized Remedial Action Plan (FUSRAP) is prohibited from disposal in Pennsylvania solid waste facilities unless specifically exempted from disposal restrictions by an applicable Pennsylvania or Federal statute or regulation. See 25 Pa. Code, sections 273.201 and 288.201. Moreover, while there are provisions in the Pennsylvania solid waste regulations for an exemption from a Federal or State authority that could allow disposal in a Pennsylvania solid waste disposal facility of some of the

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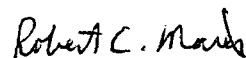
radiologically impacted waste from the SLDA, recent experience in Pennsylvania has shown it is unlikely that the waste would be accepted by Pennsylvania landfill operators. This is due to concerns about the business's reputation or their relationship with local government officials.

It is clear from Figure B-1 (Sensitivity Analysis for Soils Requiring Disposal) that sending all radiologically impacted soils for disposal at a low-level radioactive waste facility will greatly impact the estimated cost for the chosen remedial action alternative. The cost estimate for Alternative 5 needs to be revised to take into consideration this additional cost and impact on the proposed schedule.

The other major issue identified in the PADEP review of the FS/PP involves the absence of remedial actions for chemical contamination unless it is commingled with radioactive waste. It is PADEP's understanding that if chemical contamination is encountered that is not commingled with radioactive waste, it cannot be remediated under the Congressional authorization given to the USACE. This lack of authorization could lead to incomplete and inefficient remediation of the SLDA site. Efforts should be made to expand USACE's authorization to address both chemical and radioactive waste. As an alternative, potentially responsible parties should be encouraged to coordinate chemical contamination remediation during the planned USACE activities to ensure a comprehensive clean up of the SLDA site.

Other, less significant comments on the FS/PP are included on the enclosure to this letter. PADEP appreciates the opportunity to provide the USACE our views on the FS/PP and looks forward to the successful completion of this important project. If you have any questions regarding PADEP's comments, please contact me by email at rmaiers@state.pa.us or by telephone at 717-783-8979.

Sincerely,



Robert C. Maiers, PE
Chief
Decommissioning & Surveillance Division

Enclosure

cc: David Allard, BRP
Ken Bowman, SWRO
James Yusko, SWRO
John Matviya, SWRO
Mike Forbeck, SWRO
David Frothingham, USACE
Dwight Shearer, SWRO
Amir Kouhestani, NRC
Fred Denorscia, SWRO
Dave Eberle, SWRO

**COMMENTS ON THE FINAL FEASIBILITY STUDY AND PROPOSED PLAN (FS/PP) FOR
THE SHALLOW LAND DISPOSAL AREA SITE, PARKS TOWNSHIP, ARMSTRONG
COUNTY, PENNSYLVANIA, DEPARTMENT OF ARMY, SEPTEMBER 2006**

1. Preliminary Remediation Goals (PRGS) appear to be appropriately developed using the RESRAD computer code. However, previous remediations in the area that were related to the SLDA (i.e. Apollo and the Kiski Ash Lagoon) used much more stringent remediation criteria. Members of the public may question whether the PRGS developed for the SLDA are sufficiently low to protect human health and the environment. USACE should be prepared to explain to members of the public why the PRGS developed for the SLDA differ from the remediation criteria used at Apollo and the Kiski Ash Lagoon.
2. Since the majority of the waste is discretely located in the trenches it can be expected that remediation should result in achieving near background levels. This should be noted in the FS/PP.
3. USACE should consider the impact of eliminating treatment from Alternative 5 or considering this as an Alternative 6. Eliminating on-site treatment would reduce exposure to the workers and reduce the time required to complete remediation. While this would likely increase the volume of waste requiring off-site disposal as low-level radioactive waste (LLRW), better disposal rates may be possible through economy of scale.
4. USACE should explore being granted access to DOE disposal facilities (e.g. Nevada Test Site). Significant savings in disposal costs for LLRW could be achieved.