

21 APR 94 9:30

05 16 56 12

FUSRAP

CCN: 115628

FUSRAP COMMUNICATIONS DISTRIBUTION
DOE/ORO FORMER SITES RESTORATION DIVISION (EW-93)

DATE PROCESSED BY PDCC 04/21/94

FSRD ☒ COMM TYPE U I G I TSAIC SENSITIVE ☐

COMM REF _____

ADMIN RCD _____

SUBJECT CIS, MIS, MSP, NBS, NFS, & WIS - NFSHAPS 1997 Air Emissions RptFROM Giardina TO Seay COMM DATE 3/15/94ADDR CODE 1 CLOSING CCN wbs 139, 138, 118, 144, 158, 137SUBJECT CODE 2552 AFFECTED DOCUMENT _____

RESPONSE TRACKING INFORMATION

ACTION DESCRIPTION: _____	
PRIMARY:	PRIMARY:
OWED TO: _____	OWED BY: _____ (ORC)
(ORC) _____ TARGET DATE: ____/____/____	CLOSING CCN _____ COMPL DATE ____/____/____ CLOSING REF _____
SECONDARY:	SECONDARY:
OWED TO: _____	OWED BY: _____ (ORC)
(ORC) _____ TARGET DATE: ____/____/____	CLOSING CCN _____ COMPL DATE ____/____/____ CLOSING REF _____

MESSAGE:

W/A W/O				W/A W/O				W/A W/O			
DIRECTOR, FSRD:	L. Price	FSRD		PROGRAM MANAGER:	J. Waddell	SAIC		PROGRAM MANAGER:	R. Harbert	BPM	
DEP. DIRECTOR, FSRD:	W. Seay	FSRD	1	DEPUTY PROGRAM MGR:	T. Patterson	SAIC		DEPUTY PROGRAM MGR:	P. Crowell	BPM	
SITE MANAGER:	D. Adler	FSRD		MGMT. SYSTEMS:	K. Rando	SAIC			W. Wagner	BPM	
	S. Cango	FSRD	1	SECRETARY:	S. Hoptner	SAIC		PROJECT MANAGER:	M. Redmon	BPM	1
	R. Kish	FSRD	1						G. Paley	BPM	
	J. Kopotic	FSRD		<i>E. J. Newberry</i>			1		P. Huber	BPM	1
	M. Noe	FSRD		<i>M. A. Lucero</i>			1		S. Priest	BPM	
PROJECT SUPPORT GRP:	J. Hart	FSRD		<i>L. A. Dicks</i>			1	CONSTRUCTION		BFO	
	S. Oldham	FSRD	1					ENGINEERING & TECHNOLOGY		SET	
	G. Hartman	FSRD						ENGINEERING		SET	
	L. Marz	FSRD						ENVIR TECH <i>Kaye</i>		SET	1
PRGM ANALYST:	B. Hughson	FSRD						DATA MANAGEMENT		SET	
SECRETARY:	M. Seiber/M. Dyle	FSRD						GEOTECH		SET	
FSRD CHRON FILE			1					ESH & WASTE MGMT		BEH	
FSRD NOTEBOOKS								SAFETY & HEALTH		BEH	
READING FILE								ENVIR COMPLIANCE		BEH	
DOE/PCD:	French/Stalnuth	DCD						WASTE MGMT		BEH	
DOE/HO:	J. Wagoner	DHO						PROCUREMENT		BPO	
								PROJECT ADMINISTRATION		BPA	
								TECHNICAL REPORTS		STR	
								PROJECT AUTOMATION		BAU	
AML:	A.J. Dvorak	AML						PROJECT CONTROLS		BPC	
	A. Golder	AML						COMMUNITY RELATIONS		BCR	
	G. Maramba	AML						QUALITY ASSURANCE		BOA	
	D. Dunning	AML						ADMIN RCD/INFO REPOSITORY			
ORISE:		ORISE						PDCC READ FILE <i>TOPROM-006</i>			
ORNL:		ORNL						PDCC: SENSITIVE/CHRON FILE			1

OLD 11 1382.2

PLEASE RETURN TO PDCC FOR CORRECTIONS

NFSS_0806

115628



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II

1994 MAR 23 AM 8:59

JACOB K. JAVITS FEDERAL BUILDING

NEW YORK, NEW YORK 10278-0012

MAR 15 1994

William M. Seay
Acting Director
Former Sites Restoration Division
United States Department of Energy
Oak Ridge Operations
P.O. Box 2001
Oak Ridge, Tennessee 37831-8723

Re: Submission of NESHAPS 1993 Air Emissions Reports to EPA
Region II.

Dear Mr. Seay:

The purpose of this letter is to respond to your letter to me of June 25, 1993. In that correspondence you requested a "waiver" from the reporting and modeling requirements of Subpart H, Sections 61.93(a) and 61.94 for the following six sites under the jurisdiction of the United States Environmental Protection Agency (EPA), Region II: Colonia Interim Storage Site, Maywood Interim Storage Site, Middlesex Sampling Plant, New Brunswick Site, Niagara Falls Storage Site and the Wayne Interim Storage Site.

A review of 40 CFR Part 61 by my staff has failed to locate any provisions for a waiver under the circumstances presented in your letter. The issue of this waiver is one of national significance and requires consistent application by the EPA. As such, it would be appropriate for you to submit a request for an interpretation of the regulations regarding a waiver to EPA Headquarter's Office of Radiation and Indoor Air.

If you have any questions please contact Jennifer Magruder of my staff at (212) 264-4536.

Sincerely,

Paul A. Giardina, Chief
Radiation Branch

cc: J. Magruder, AWM
A. Carpenter, AWM
E. Stamatakis, AWM
A. Colli, ORIA
D. Hamarat, ORIA