

NF-099
123928

Formerly Utilized Sites Remedial Action Program (FUSRAP)

ADMINISTRATIVE RECORD

for
Niagara Falls Storage Site





123928 44-710

Department of Energy

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

December 8, 1994

Mr. Paul A. Giardina, Chief
Radiation Branch
U. S. Environmental Protection Agency,
Region II
Jacob K. Javits Federal Building
New York, New York 10278

Dear Mr. Giardina:

NIAGARA FALLS STORAGE SITE - NESHAPS SUBPART H - NONAPPLICABILITY

The Department of Energy (DOE) has conducted an evaluation of the Niagara Falls Storage Site (NFSS) regarding the applicability of 40 CFR Part 61, Subpart H, to the site in its current configuration. The following provides a brief overview of the site history as it pertains to Subpart H compliance, and explains why DOE has concluded that Subpart H is currently not applicable to NFSS.

According to 40 CFR Part 61.90, Designation of Facilities, DOE owned and operated facilities that emit any radionuclides other than radon-222 and radon-220 into the air are subject to the requirements of Subpart H. At the time Subpart H was promulgated, the bulk of the remedial action had been completed at the site. However, there were some remaining areas of residual radioactivity that were scheduled for remediation and incorporation into the waste containment structure (WCS) at the site. Until this remedial action was complete, Subpart H was viewed as being applicable because of the potential for diffuse emissions. In the late summer and early fall of 1991, these residual soils were incorporated into the WCS.

The design of the WCS involves a static, minimal maintenance containment system that does not have specific emission points for the release of radionuclides. Radioactively contaminated soil is located under a 3-foot thick engineered clay cap topped by 18 inches of topsoil. The design of the engineered cap prevents fugitive dust or diffuse source emissions with the calculated efficiency of the cap being greater than 99.999 percent.

Based on the above, DOE has concluded that the requirements of Subpart H are no longer applicable to the WCS at NFSS and annual Subpart H reports will no longer be submitted. If operations are initiated that change the configuration of the WCS such that a potential for release of radionuclides is created, then the reporting and modeling requirements of 40 CFR, Part 61, Subpart H, would once again be applicable to NFSS and the appropriate reports submitted.

Mr. Paul Giardina

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December 8, 1994

If you have any questions or require additional information, please contact
Ron Kirk of my staff at (615) 576-7477.

Sincerely,

A handwritten signature in dark ink, appearing to read "Lester K. Price", with a stylized flourish at the end.

Lester K. Price, Division Director
Former Sites Restoration Division

Mr. Paul Giardina

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123928






December 8, 1994

If you have any questions or require additional information, please contact
Ron Kirk of my staff at (615) 576-7477.

Sincerely,



Lester K. Price, Division Director
Former Sites Restoration Division

CONCURRENCES		
RTG SYMBOL	EW-93	
INITIALS/SIG.	Kirk 	
DATE	11/30/94	
RTG SYMBOL	EW-93	
INITIALS/SIG.	Oldham 	
DATE	11/30/94	
RTG SYMBOL	EW-93	
INITIALS/SIG.	Hartman 	
DATE	11/30/94	
RTG SYMBOL	EW-93	
INITIALS/SIG.	Seay 	
DATE	12/7/94	
RTG SYMBOL	SE-31	
INITIALS/SIG.	Dillow 	
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