

**DIVISION OF WASTE MANAGEMENT  
RECORD OF COMMUNICATION**

<b>TO:</b> Todd Hendricks, KDWM /SWB	<b>FROM:</b> David Ashburn, Paducah Remediation Services	
<b>SUBJECT:</b> PGDP C-746-U Landfill Complaints	<b>ID NO:</b> 3059	
<b>COUNTY:</b> McCracken	<b>DATE:</b> February 23, 2009	<b>TIME:</b> 1:36 P.M.
<input checked="" type="checkbox"/> PHONE CALL <input type="checkbox"/> DISCUSSION <input type="checkbox"/> ON-SITE <input type="checkbox"/> ON-CALL <input type="checkbox"/> CONFERENCE		
<input type="checkbox"/> OTHER _____		

**SUMMARY OF COMMUNICATION:** David Ashburn returned my call regarding complaints from Gary VanderBoegh and Gary DeWeese alleging permit violations at the Paducah Gaseous Diffusion Plant C-746-U Landfill. I had called him earlier to bring him up-to-date on the issues surrounding the complaints and ask him about the status of the submittal of information regarding the second complaint. Information from DOE regarding the first complaint was received by KDWM on January 30, 2009. Information regarding the second complaint is due by April 7, 2009.

I told Mr. Ashburn that although I had reviewed the January 30, 2009 submittal, KDWM would wait until the information had been received regarding the second complaint before any decisions were made regarding the compliance status of the facility. Mr. Ashburn stated that PRS had forwarded the information regarding the second complaint to DOE sometime during the week of February 16-20.

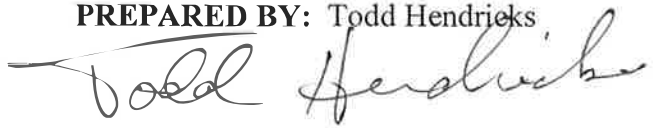
I asked Mr. Ashburn about the permittees' motivation for declaring the waste soils, gravel, concrete rubble, and other materials "non-wastes" and subsequently using them as cover soils. He said that: 1) the soils in question were basically clean; 2) the Hazardous Waste Branch was pressuring the permittees to remove the containers of wastes, which had been sitting in the open for a period of years; 3) the landfill was running short on airspace; and if the soils in question were disposed as wastes, the airspace taken up by the cover soils would be lost. However, if the "non-waste" soils from outside the landfill area were used as cover, airspace would be conserved. He said that Michael Gerle indicated that an added benefit would be freedom from free liquids restrictions regarding wastes, given that these materials were deemed non-wastes and were dumped on the clean soil piles.

Mr. Ashburn indicated that the new leachate tanks had not yet been hooked up, and that no waste was being emplaced in cells 4 and 5 of the U-Landfill. He stated that the facility still used the USEC WWTP as a means of disposal of leachate. He said that following the recent ice storm, the landfill was left without power, a fact which rendered the onsite leachate treatment facility inoperative. The leachate was all taken to the USEC WWTP until the onsite treatment facility became operative again.

Mr. Ashburn said that the steel tank referred to in the DeWeese complaint was an aeration tank that was approximately two feet by four feet in size and was flattened.

I urged Mr. Ashburn to correspond with the SWB in the event that any questions about the suitability of any wastes arise in the future, and to seek, if at all possible, written correspondence from the SWB. Mr. Ashburn said that Gary VanderBoegh was constantly watching for environmental crimes at the landfill. I told Mr. Ashburn that although the allegations in the complaints may represent administrative violations, I could see no evidence at the present time that environmental crimes had been committed.

**PREPARED BY:** Todd Hendricks



**DATE:** 2/24/09