



ENERGY AND ENVIRONMENT CABINET

Steven L. Beshear
Governor

Department for Environmental Protection
Division of Waste Management
200 Fair Oaks
Frankfort, Kentucky 40601
www.kentucky.gov

Leonard K. Peters
Secretary

January 8, 2009

Mr. William E. Murphie, Manager
United States Department of Energy
Portsmouth Paducah Project Office
1017 Majestic Place, Suite 200
Lexington, Kentucky 40513

Certified Mail Number: 7007 0710 0004 2993 9792

Mr. Russell Boyd, Site Manager
Paducah Remediation Services, LLC
761 Veterans Avenue
Kevil, Kentucky 42053

Certified Mail Number: 7007 0710 0004 2993 9785

RE: Complaint - C-746-U Contained Landfill
United States Department of Energy - Paducah Gaseous Diffusion Plant
Agency Interest No. 3059
Solid Waste Permit # 073-00045
McCracken County

Dear Mr. Murphie and Mr. Boyd:

The Kentucky Division of Waste Management (Division) has received correspondence alleging a number of violations of the C-746-U Landfill's operating permit, the approved applications, and 401 KAR Chapters 47 and 48.

The subject complaint alleges the following:

- 1) The Landfill Manager ordered a cessation of routine equipment checks required by the landfill operating permit and Attachment 9 of the approved Technical Application.

- 2) Soil from offsite sources (including some soil from one or more ditches northwest of the DOE building) was brought to the landfill for use as daily cover and dumped on the clean soil stockpiles, in violation of the landfill operating permit and Attachments 10, 17, and 20 of the approved Technical Application. Loads of waste concrete and rebar were included with the soils to be used as daily cover. Other loads of waste concrete, rebar, and a rusted septic tank from the C-333A Vaporizer area were brought to the landfill. These wastes were placed on the clean soil stockpiles and not disposed of within two hours of receipt as required by the landfill operating permit, 401 KAR 48:090 Section 9, and Attachment 20 of the approved Technical Application.
- 3) Leachate leaked from the treatment system when the treatment volume was increased from three to five gallons per minute.
- 4) The landfill operated for a period without a licensed Landfill Manager or Operator present. The timeframe for this activity was not stated in the complaint.

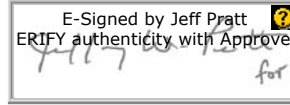
The Division therefore requires the following information in accordance with 401 KAR 40:010 Section 3 and 401 KAR 47:120 Section 1(8). Please submit the required information by February 9, 2009.

- 1) Provide documentation that, for the period beginning January 1, 2006, all required equipment checks and maintenance required by the permit and Attachment 9 of the approved Technical Application were performed on the appropriate schedule.
- 2) Provide a list of all loads of material brought to the C-746-U Landfill from offsite sources that were either used (or stockpiled) as cover material. Because the Division has already requested this information regarding offsite soils intended for use as daily cover, this list can be limited to concrete, rebar, tanks, and all other non-soil materials. This information should include: a) the type of material with complete waste characterization data; b) the date each load of these wastes were received at the landfill; c) the weight of each load; and d) the date(s) these materials were disposed in the landfill or removed from the site. If the materials were removed from the landfill site, specify the location or facility that received them.
- 3) Provide a list of any leachate spills or leakage that occurred at the site since the leachate treatment unit became operational. Include the date, time, and volume of leachate spilled, and provide a narrative of the corrective measures taken.
- 4) For the period beginning January 1, 2006, document that the facility complied fully with the requirements of 401 KAR 47:070 Sections 12(1) and 12(2) regarding landfill managers and operators.

Mr. William E. Murphie,
Mr. Russell Boyd
January 8, 2009
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Should you have any questions regarding this matter, please contact me at (502) 564-6716, extension 4665 or Todd Hendricks at extension 4653.

Sincerely,



Jeffrey W. Pratt, P.E.
Acting Branch Manager

Enclosures
JWP/RTH/rth

c:
Reading File