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— G-000-710.3 —

**CONSENT AGREEMENT: FEED MATERIALS
PRODUCTION CENTER**

05/02/90

DOE-ORO/USEPA

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LETTER



Department of Energy
Oak Ridge Operations
P.O. Box 2001
Oak Ridge, Tennessee 37831 - 8510

MAY 1 1990

Mr. Valdas V. Adamkus
Regional Administrator
U. S. Environmental Protection Agency
Region 5
230 South Dearborn Street
Chicago, Illinois 60604

Dear Mr. Adamkus:

CONSENT AGREEMENT: FEED MATERIALS PRODUCTION CENTER

I have received the Assistant Attorney General's letter of April 25, 1990, in which he provided his concurrence with the Consent Agreement which we have negotiated. The Assistant Attorney General recommended that the reference to Section 3008 of RCRA be removed from the Article entitled "Enforceability," because there is no waiver of sovereign immunity for the imposition of civil penalties under RCRA.

Counsel for our agencies have arranged for a substitute page which will delete the phrase to which the Department of Justice (DOJ) has objected. This substitute page, together with our transmittal letters, will be made available for the public's review during the public comment period which is imminent. I agree with the deletion recommended by DOJ and concur in substituting the corrected page.

If I can be of any further assistance, please call.

Sincerely,

Joe La Grone
Joe La Grone
Manager