

U-005-305.2

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OU #3  
FERNALD, OHIO  
OH6 890 008 976

02-05-91

USEPA/DOE-FMPC  
2  
LETTER



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
230 SOUTH DEARBORN ST.  
CHICAGO, ILLINOIS 60604

1143

FEB 05 1991

REPLY TO ATTENTION OF:

Mr. Jack R. Craig, Jr.  
United States Department of Energy  
Feed Materials Production Center  
P.O. Box 398705  
Cincinnati, Ohio 45239-8705

5HR-12

RE: OU #3  
Fernald, Ohio  
OH6 890 008

Dear Mr. Craig:

The United States Environmental Protection Agency (U.S. EPA) acknowledges the receipt of the United States Department of Energy's (U.S. DOE) January 29, 1991, letter regarding Operable Unit (OU) #3. Under Section XV.B of the 1990 Consent Agreement, U.S. DOE provided notice that additional work is required as part of OU #3 remedial response actions and that the additional work will adversely affect work scheduled as provided for in Section XV.C

U.S. EPA disagrees that the work described in U.S. DOE's January 29, 1991, letter is additional work under this provision of the Consent Agreement. The Remedial Investigation (RI) and Feasibility Study (FS) work required to be performed was known to U.S. DOE and its project manager since the 1990 Consent Agreement was negotiated in late 1989. The scope of the removal and remedial actions are outlined in Section V of the 1990 Consent Agreement, with the specific scope of OU #3 defined in Section X.C.3.

The delay in developing, submitting, and implementing work plans does not release U.S. DOE from its obligations under the Consent Agreement and does not extend the deadlines contained therein.

If there are any questions regarding this matter, I may be contacted at (312/FTS) 886-4436.

Sincerely,

Catherine A. McCord  
Remedial Project Manger

FEB 05 1991

E-1009

1/24/91

cc: Gerald Ionides, OEPA  
Graham Mitchell, OEPA - SWDO  
Leo Duffy, U.S. DOE - HDQ  
Joe LaGrone, U.S. DOE - ORO