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**NOTICE OF DISPUTE - U.S. EPA DISAGREEMENT  
WITH ADDITIONAL WORK - URANIUM  
PRODUCTION OPERATIONS AREA (UPOA)**

02-12-91

**DOE-733-91  
DOE-FMPC/USEPA  
2  
LETTER**



**Department of Energy**

**FMPC Site Office**  
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FEB 12 1991

DOE-733-91

Ms. Catherine A. McCord  
Remedial Project Director  
U.S. Environmental Protection Agency  
Region V, 5HR-12  
230 South Dearborn Street  
Chicago, Illinois 60604

Dear Ms. McCord:

**NOTICE OF DISPUTE - U.S. EPA DISAGREEMENT WITH ADDITIONAL WORK - URANIUM  
PRODUCTION OPERATIONS AREA (UPOA)**

- Reference: 1) Letter, DOE-666-91, G. W. Westerbeck to C. A. McCord, "Notification of Additional Work Under The Consent Agreement (CA) - Uranium Production Operations Area (UPOA) Restoration," dated January 29, 1991
- 2) Letter, C. A. McCord to G. W. Westerbeck, "OU #3, Fernald, Ohio, OH6 890 008," dated February 2, 1991

The U.S. Department of Energy (DOE) disputes the United States Environmental Protection Agency (U.S. EPA) February 5, 1991 disagreement with DOE's notification of additional work under the Consent Agreement as described in reference 1.

As explained in reference 1, DOE intended to utilize those resources and activities employed by the uranium processing operations to mitigate and prevent the release and the potential for release of contaminants from the FMPC to the environment. With the FMPC mission changing from producing uranium metal to site restoration, DOE's strategy of contaminant release identification, remediation and prevention has been revised to employ the CERCLA process to identify and prevent the release of contaminants to the environment and to provide total site remediation.

The current scope of OU 3, which is in dispute, included those portions of the production area that are not directly involved with the uranium production operations and suspects areas. DOE is evaluating the extent of additional work needed in the uranium production operation area. The evaluation will determine the impact this work will have on OU 3.

This constitutes a written statement of dispute pursuant to Section XIV, Resolution of Dispute, regarding the U.S. EPA disagreement with the notification of additional work, for the UPOA.

Sincerely,

  
Jack C. Craig  
FIPPC Remedial Action  
Project Director

cc:

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