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**NOTICE OF DISPUTE OF U.S. ENVIRONMENTAL
PROTECTION AGENCY MARCH 16, 1993 NOTICE
OF INTENT TO ASSESS STIPULATED PENALTIES
AND PROPOSED CONSOLIDATION OF DISPUTES
RELATED TO OU 2**

**DOE-FN/USEPA
DOE-1425-93
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LETTER**



Department of Energy
Fernald Environmental Management Project

P.O. Box 398705
Cincinnati, Ohio 45239-8705
(513) 738-6357 **MAR 19 1993**
DOE-1425-93

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Mr. James A. Saric, Remedial Project Director
U.S. Environmental Protection Agency
Region V - 5HRE-8J
77 W. Jackson Boulevard
Chicago, Illinois 60604-3590

Dear Mr. Saric:

**NOTICE OF DISPUTE OF U.S. ENVIRONMENTAL PROTECTION AGENCY MARCH 16, 1993
NOTICE OF INTENT TO ASSESS STIPULATED PENALTIES AND PROPOSED CONSOLIDATION OF
DISPUTES RELATED TO OU 2**

The U.S. Department of Energy (DOE) serves notice that it is invoking the dispute resolution procedures of Section XIV (RESOLUTION OF DISPUTES) of the Amended Consent Agreement (ACA) pertaining to the U.S. Environmental Protection Agency's (EPA) March 16, 1993, Notice of Intent to Assess Stipulated Penalties for DOE's failure to submit the Operable Unit (OU) 2 Feasibility Study and Proposed Plan (FS/PP) on March 15, 1993. This dispute pertains to the matters currently the subject of informal dispute resolution between DOE and EPA. A summary of these matters and affected work is contained in our February 16, 1993, Notice of Dispute.

As we discussed at our March 19, 1993, informal dispute resolution meeting, DOE proposes that we consolidate this dispute with the one initiated on February 16, 1993, for resolution under Section XIV (RESOLUTION OF DISPUTES) of the ACA. Any memorandum resolving this dispute will address the OU 2 Remedial Investigation Report, Feasibility Study Report, Proposed Plan and Record of Decision.

If you or your staff have any questions or comments, please contact Jack R. Craig at 513-738-6159.

Sincerely,


Jack R. Craig
Fernald Remedial Action
Project Manager

James A. Saric
Remedial Project Manager

cc:
G. A. Mitchell, OEPA

cc:

J. J. Fiore, EM-42, TREV
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