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**COMMENCEMENT OF OPERABLE UNIT 4  
REMEDIAL ACTIONS WITHIN 15 MONTHS  
AFTER RECEIPT OF UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
APPROVED RECORD OF DECISION**

**02/09/94**

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**Department of Energy**  
**Fernald Environmental Management Project**  
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Mr. James A. Saric, Remedial Project Director  
U. S. Environmental Protection Agency  
Region V-5HRE-8J  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

Mr. Graham E. Mitchell, Project Manager  
Ohio Environmental Protection Agency  
40 South Main Street  
Dayton, Ohio 45402-2086

Dear Mr. Saric and Mr. Mitchell:

**COMMENCEMENT OF OPERABLE UNIT 4 REMEDIAL ACTIONS WITHIN 15 MONTHS AFTER RECEIPT OF UNITED STATES ENVIRONMENTAL PROTECTION AGENCY APPROVED RECORD OF DECISION**

The "Comprehensive Environmental Response, Compensation, and Liability Act of 1980" (CERCLA), Section 120(e)2 states that ". . .substantial continuous physical on-site remedial action shall be commenced at each facility not later than 15 months after completion of the investigation and study." The Department of Energy, Fernald Field Office (DOE-FN) has defined "completion of the investigation and study" as approval of the Record of Decision (ROD) by the United States Environmental Protection Agency (U.S. EPA). This approval is anticipated to be received four months after submittal of the draft ROD by DOE-FN to the U.S. EPA on June 10, 1994.

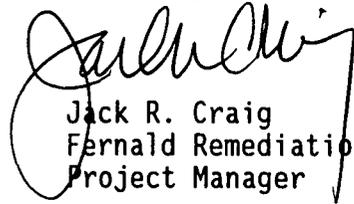
To date, the meaning of the phrase ". . . substantial continuous physical on-site remediation. . ." has been the subject of various interpretations. It is the remedial management strategy of DOE-FN for Operable Unit 4 that ". . . substantial continuous physical on-site remediation. . ." may include such physical actions as site preparation construction, source control construction, and source removal and treatment. This approach is consistent with the U.S. EPA publication, "Guidance on Expediting Remedial Design and Remedial Action" (EPA/540/G-90/006, August 1990).

This approach allows the Operable Unit 4 remedial design and remedial actions to be divided into logical, and manageable work elements to accelerate their implementation. Because of the complexity of the Operable Unit 4 remedial actions, the baseline schedule indicates that stabilization of the silo materials will not occur within 15 months of the U.S. EPA approved ROD; however, substantial, continuous, and physical on-site remedial activities would be taking place; i.e., initiation of earthwork and utilities for the

final remediation treatment facility is anticipated to begin in December 1995, which is 14 months after the scheduled ROD approval; silo content removal is anticipated to be initiated in January 1997. The remedial design work plan will delineate the sequencing of remedial actions as well as details regarding the overall remedial design requirements, specifications, sitewide integration, procurement, and construction. Such planned delineation becomes paramount for a complex remedial site like Operable Unit 4, to ensure full compliance with CERCLA, National Environmental Policy Act (NEPA), DOE Orders, and Amended Consent Agreement Milestones.

Therefore, DOE-FN requests your concurrence with the approach stated regarding ". . .substantial, continuous physical on-site remediation." If you have any comments, please contact Randi Allen at 513-648-3102.

Sincerely,



Jack R. Craig  
Fernald Remediation Action  
Project Manager

FN:Allen

cc:

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