

6062

U-006-504 .3

**U. S. DOE REQUEST FOR EXTENSION OF OU#4 FINAL RECORD OF
DECISION**

10/13/94

USEPA
2
LETTER

DOE-FN



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

6062

RECEIVED
I-0120
OCT 14 10 13 AM '94

FILE: _____
REPLY TO THE ATTENTION OF:

OCT 13 1994

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

HRE-8J

RE: U.S. DOE Request for Extension
of OU #4 Final Record of Decision

Dear Mr. Craig:

On September 14, 1994, the United States Department of Energy (U.S. DOE) submitted a request for a (30) thirty-day extension in the submittal of the Operable Unit (OU) 4 Final Record Of Decision (ROD). The United States Environmental Protection Agency (U.S. EPA) may grant such an extension pursuant to Sections XVIII of the 1991 Amended Consent Agreement (ACA).

On September 1, 1994, U.S. EPA approved the OU 4 Draft ROD. Pursuant to Section X G. of the ACA, U.S. DOE is required to submit the Final ROD to U.S. EPA within thirty (30) days receipt of the approved Draft ROD. However, since this document also represents the Environmental Impact Statement (EIS) for the Fernald Site, compliance with the National Environmental Policy Act (NEPA) is necessary. Therefore, an additional (30) thirty-day public comment period on the Responsiveness summary was requested.

U.S. EPA has completed it's review pursuant to Section XVIII of the 1991 ACA, which requires U.S. EPA to determine whether good cause exists for a schedule extension based upon, among other things, information submitted by U.S. DOE.

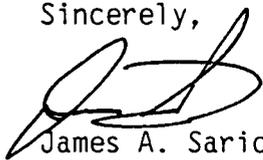
Compliance with NEPA is required, as OU 4 represents the EIS for the Site. And the additional public review period is part of the NEPA process. Section XVIII B.5 specifically addresses such requests for additional time for public participation as good cause for an extension.

Therefore, U.S. EPA grants the extension for submittal of the Final ROD until November 4, 1994. U.S. DOE must make all efforts to minimize impacts on the OU 4 remediation schedule.

-2-

If you have any questions regarding the above matter, please do not hesitate to contact me at (312) 886-0992, or Brian Barwick at (312) 886-6620.

Sincerely,



James A. Saric, Remedial Project Manager
Technical Enforcement Section #1
RCRA Enforcement Branch

cc: Graham Mitchell, OEPA-SWDO
Tom Schneider, OEPA-SWDO
Jack Baublitz, U.S. DOE-HDQ
Don Ofte, FERMCO