

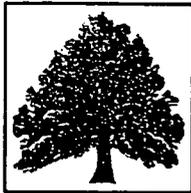
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**OPERABLE UNIT 2 COMPLIANCE WITH 15-MONTH START OF
REMEDATION REQUIREMENT**

10/16/96

DOE-0053-97
DOE-FN EPAS
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LETTER



Department of Energy

Ohio Field Office
Fernald Area Office

P. O. Box 538705
Cincinnati, Ohio 45253-8705
(513) 648-3155

OCT 16 1996

DOE-0053-97



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

Mr. Tom Schneider, Project Manager
Ohio Environmental Protection Agency
401 East 5th Street
Dayton, Ohio 45402-2911

Dear Mr. Saric and Mr. Schneider:

OPERABLE UNIT 2 COMPLIANCE WITH 15-MONTH START OF REMEDIATION REQUIREMENT

This letter is to certify that Operable Unit 2 has met the CERCLA requirement that "substantial continuous physical on-site remedial action shall be commenced at each facility not later than 15 months after the completion of the investigation and study" [CERCLA §120 (e)(2)]. Remedial action was required by September 8, 1996, 15 months after the signing of the Operable Unit 2 Record of Decision. This requirement was met by the commencement of test pad construction on June 10, 1996 during the On-Site Disposal Facility Test Pad Program.

The *Final Remedial Design Work Plan for Remedial Actions at Operable Unit 2* states that the "activity which fulfills the commitment to implement the remedy within 15 months is the issuance of the contract for the construction of the primary waste haul road from the waste unit areas to the location of the on-site disposal facility." This criteria was modified in a letter from U.S. Department of Energy (U.S. DOE) to U.S. Environmental Protection Agency (U.S. EPA) and Ohio Environmental Protection Agency (OEPA) dated May 9, 1996 (DOE-0879-96, "Operable Unit 2 Remedial Design Milestones"). That letter states that "based on previous discussions, the Department of Energy, Fernald Area Office (DOE-FN) would like to clarify that the commencement of Remedial Action will instead be marked by the construction of the test pad, excavation of contaminated soil, and certification of the On-Site Disposal Facility footprint." The EPA and OEPA concurred with this approach in letters received June 18, 1996 and May 15, 1996, respectively.

If there are any questions, please contact Rod Warner at (513) 648-3156.

Sincerely,



Johnny W. Reising
Fernald Remedial Action
Project Manager

FEMP:Warner

cc:

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