



Department of Energy

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DOE-1214-97

Mr. James A. Saric, Remedial Project Manager
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 5 COMPLIANCE WITH 15-MONTH START OF REMEDIATION
REQUIREMENT**

This letter is to certify that Operable Unit 5 (OU5) has met the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) requirement [CERCLA 120 (e)(2)] for substantial continuous physical on-site remedial action commencement no later than 15 months after the completion of the investigation and study. The U. S. Environmental Protection Agency (U.S. EPA) approval and signing of the OU5 Record of Decision (ROD), on January 31, 1996, represented the completion of the OU5 investigation and study phase. The 15-month requirement was met by the mobilization and start-up of the construction subcontractor for the Area 1, Phase I (A1PI) soils excavation project, which began on September 9, 1996.

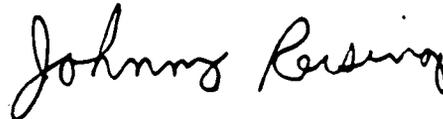
The final *Remedial Design Work Plan (RDWP) for Remedial Actions at Operable Unit 5* addressed the discussion of commencement of remedial action in Section 3.7, Remedial Design Strategy for Aquifer Restoration (August 1996). In Section 3.7 of the RDWP for OU5, commencement of remedial action is addressed as the continuation of the existing actions (presumably through the continued pumping of the South Plume groundwater extraction wells) and the completion of the sequencing strategy and schedule provided in the Remedial Action Work Plan (RAWP) for Aquifer Restoration (June 1997). In addition to the RDWP-identified groundwater remedial design and remedial action activities which would constitute commencement of remedial action, substantive soils remedial design and remedial action efforts were also initiated in advance of the 15-month criterion. More specifically, the A1PI RAWP was submitted to the U. S. EPA and Ohio Environmental Protection Agency (OEPA) on July 17, 1996, (an informal draft of the A1PI RAWP was

submitted to both agencies in April 1996). Additionally, the subcontract for the A1PI soils excavation was successfully awarded by Fluor-Daniel Fernald, Inc. (FDF) on July 24, 1996. On September 9, 1996, the selected subcontractor for the A1PI soils excavation project began the mobilization and initiation of soil excavation activities in A1PI, which also represented the initiation of the OU5 soils remedial action program.

In summary, with the finalization of the OU5 ROD, the CERCLA requirement for the commencement of substantial and continuous physical on-site remedial action within 15-months occurred in both the soils and groundwater programs. In order to identify for the administrative record the single activity in OU5 best constituting substantially continuous physical on-site remedial action, DOE recommends the mobilization efforts and start-up of soil excavation activities by the subcontractor on the A1PI soils excavation project, which occurred on September 9, 1996.

If you or your staff should have any questions, please contact Robert Janke at (513) 648-3124.

Sincerely,



Johnny W. Reising
Fernald Remedial Action
Project Manager

FEMP:R.J. Janke

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