



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

L-0983

6446.2

REPLY TO THE ATTENTION OF:

MAR 09 1998

Mr. Johnny W. Reising  
United States Department of Energy  
Feed Materials Production Center  
P.O. Box 398705  
Cincinnati, Ohio 45239-8705

SRF-5J

RE: OU 1 Milestone Issue

Dear Mr. Reising:

Thank you for submitting your February 26, 1998, letter regarding the potential impact on Operable Unit (OU) 1 milestones, as a result of an injunction issued in the United States Department of Energy (U.S. DOE) litigation with Waste Control Specialists (WCS).

U.S. EPA agrees that this situation merits attention, but understand that U.S. DOE is obligated to comply with approved workplans for OU 1. Therefore, U.S. DOE should proceed with design and build activities for the OU 1 waste pit remediation.

U.S. EPA is interested in knowing more about the status of the litigation with WCS and its impacts on the remediation of OU 1. For example, has the court established a litigation schedule? If not, when does U.S. DOE anticipate resolution of the litigation?

Since this situation may affect U.S. DOE sites other than Fernald, we have notified our Headquarters Office of Federal Facilities and suggested that they monitor the litigation. It would be helpful if you could identify a U.S. DOE Headquarters person to serve as a contact for our Headquarters on this issue. However, Region 5 will continue to look to U.S. DOE Fernald for updates about the specific impact of the litigation on the Fernald cleanup.

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Please contact me at (312) 886-0992 if you have any questions regarding this matter.

Sincerely,



James A. Saric  
Remedial Project Manager  
Federal Facilities Section  
SFD Remedial Response Branch #2

cc: Tom Schneider, OEPA-SWDO  
Bill Murphie, U.S. DOE-HDQ  
John Bradburne, FERMCO  
Terry Hagen, FERMCO  
Tom Walsh, FERMCO