



Department of Energy

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NOV 20 1998

Mr. James A. Saric, Remedial Project Manager
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Region V-SRF-5J
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

DOE-0153-99

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

Dear Mr. Saric and Mr. Schneider:

SCHEDULE REVISIONS

The existing planned sequence of Decontamination and Dismantling (D&D) activities and follow-on soil excavation is based on a number of factors and assumptions that include expected funding levels, construction logistics, and the overall Fernald Environmental Management Project (FEMP) completion date. This planned sequence is reflected by a series of enforceable milestones for submittal of D&D Implementation Plans and Soil Integrated Remedial Design Plans (IRDP). A significant factor in developing D&D schedules was the assumed time frame for which the Plant 1 Pad would need to be available to support waste management requirements. Recent events have not validated these assumptions and have necessitated a reevaluation of the schedule for D&D of the Plant 1 Pad.

More specifically, there are two primary reasons that an environmentally suitable waste management operations area will be needed longer than previously anticipated. First, the suspension of waste shipment activities to Nevada Test Site (NTS), which began in December 1997, is now expected to extend into Calendar Year 1999. This has increased the inventory of legacy and newly generated wastes to be managed at a time when the ongoing D&D program has been reducing the available, suitable floor space for waste management activities. The second primary reason relates to nuclear materials management. The existing Baseline assumes nuclear materials would be removed from the site by April 1999. The FEMP has made excellent progress in the disposition of normal and enriched nuclear materials. More problematic has been the disposition of depleted

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uranium metal. While DOE is still aggressively working this issue, it now appears that consolidated processing and storage space will be required beyond the time frame previously assumed for storage of depleted uranium.

In evaluating the issue, two viable options were identified:

- A. Consolidate waste management operations to the Plant 1 Pad and extend its usage beyond that currently reflected in the D&D sequence.
- B. Construct a new waste storage and management facility in a portion of the facility that would not adversely impact the existing D&D and soil excavation sequence.

The Department of Energy (DOE) has tentatively rejected the above alternative "B" for two reasons: First, alternative "B" was roughly estimated to be a more expensive alternative than alternative "A." The second reason relates to DOE's philosophical agreement with your agencies that the construction of new facilities will be avoided unless there is no reasonable alternative.

DOE feels that it is appropriate to re-evaluate the entire D&D sequence to achieve the most logical and flexible approach in light of proposed changes to the Plant 1, Phase II D&D schedule. In completing this reevaluation, DOE has used the following guidelines:

- A. D&D resequencing should not impact the overall completion dates for D&D, soil excavation or site closure.
- B. Resequencing should look for meaningful opportunities to accelerate certain D&D work to offset delays in Plant 1, Phase II and potentially other D&D work.
- C. Resequencing should maximize our ability to achieve proper soil/debris ratios for placement at the On-Site Disposal Facility (OSDF).
- D. Resequencing should consider the ability to improve the timing of major source removal (i.e., soil excavation), placement of excavated soil in the OSDF, and/or off-site shipment activities.
- E. Resequencing should not delay groundwater recovery well installation.

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This reevaluation has resulted in the following proposed changes to the D&D sequence. The Operable Unit 3 (OU3) regulatory milestones for submittal of Implementation Plans would be modified according to the following:

<u>Complex</u>	<u>Current</u>	<u>Proposed</u>
Plant 3	12/02/98	10/01/00
Plant 1 - Phase II	10/06/99	07/01/02
Plant 5	05/02/99	02/01/99
Plant 6	01/02/00	05/01/99

Consistent with the submittal strategy presented in Section 6.3 of the OU3 Integrated Remedial Design/Remedial Action (RD/RA) Work Plan, the proposed Implementation Plan submittal dates are intended to correspond to 90 days prior to the Notice to Proceed for D&D.

Changing the D&D sequence as indicated above would also require a change in the currently planned approach for soil remediation. Under a revised approach, Area 3 would be divided into Areas 3A and 3B. Area 3B would essentially correspond to the Plant 1 Pad area with Area 3A comprising the remainder of Area 3. Design and implementation of soil remediation would be grouped together for Areas 3A and 4A. Likewise, Areas 3B and 4B would be grouped together. To implement this approach, regulatory milestones for submittal of IRDP would be modified as follows:

<u>Area</u>	<u>Current</u>	<u>Proposed</u>
Area 3	03/31/00	Area 3A/4A: 03/31/00
Area 4A	12/31/01	Area 3A/4A: 03/31/00
Area 4B	04/01/02	Area 3B/4B: 04/01/02

Predesign investigations for Areas 3A and 4A will be conducted simultaneously in Fiscal Year (FY) 1999.

The overall time frame for completion of soil remediation in the Production Area will not be affected. As reflected above, the development of IRDPs will be actually streamlined and accelerated.

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DOE believes these enforceable milestone modifications are justified under Section XVIII of the Amended Consent Agreement (ACA) for the following reasons:

- 1) The modifications allow the FEMP to conduct extended waste management operations at Plant 1 pad, the most environmentally controlled facility available at the site.
- 2) The above flexibility/advantage is achieved without affecting the overall completion dates for D&D, soil excavation, groundwater remediation, and FEMP closure.
- 3) D&D of the two largest remaining on-site facilities, Plant 5 and Plant 6, is accelerated to offset delays in the D&D of two smaller facilities.
- 4) Resequencing facilitates earlier excavation and shorter duration of Areas 3A and 4A, and the associated availability of a greater volume of soil. This increases flexibility to achieve desired soil/debris ratios at the OSDF.
- 5) The resequencing allows earlier excavation and disposal of the higher source term soils in Areas 4A.
- 6) Resequencing allows acceleration of groundwater recovery well installation in Plant 6 area by almost two years.
- 7) The approach allows surface water collection and treatment for SP7 (Above-Waste Acceptance Criteria (WAC) Pile) until 2002.

DOE recognizes that your Agencies are concerned with the schedule for disposition of nuclear materials and low level legacy waste as it relates to the FEMP's overall remediation schedule. Further, DOE understands, based on verbal discussions, that as a condition of approving the schedule modification requests in this letter, your Agencies desire a commitment concerning the schedule for disposition of nuclear materials and low level legacy waste. Accordingly, DOE commits to the removal from the FEMP of low level legacy waste by the end of Calendar Year (CY) 2001.

As discussed with you in the recent past, the DOE-FEMP is presently engaged in active discussions and negotiations with Department of Energy, Oak Ridge Operations Office (DOE-OR), "Center of Excellence for Uranium," to transfer a substantial portion of our nuclear material to them. Upon final determination of the quantity of nuclear material to be transferred to DOE-OR and the quantity requiring waste designation, a definitive schedule will be established. The DOE-FEMP commits to provide by April 1, 1999, a commitment date for removal of all nuclear material from the site.

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If you have any further questions or wish to discuss this request further, please contact me at (513) 648-3139.

Sincerely,



FEMP:Reising

Johnny W. Reising
Fernald Remedial Action
Project Manager

cc:

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