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FLUOR

May 2, 2005

Fernald Closure Project
Letter No. C:BSOP(CA/PC):2005-0028

Mr. Ralph E. Holland, Contracting Officer
U. S. Department of Energy
EM Consolidated Business Center
250 East Fifth Street, Suite 500
Cincinnati, Ohio 45202

Dear Mr. Holland:

**CONTRACT DE-AC24-01OH20115, FCP/COMPREHENSIVE EXIT/TRANSITION PLAN, REVISION 1**

The enclosed FCP/Comprehensive Exit/Transition Plan (CE/T Plan), Revision 1, is submitted for your approval pursuant to Section J, Attachment 3, General Management section, of the subject contract. The DOE-EM and DOE-LM comments on the prior version of the plan and Fluor Fernald, Inc. (Fluor Fernald) responses thereto are also included, along with a listing of the agreed actions that Fluor Fernald has taken or will take to address DOE comments. Fluor Fernald believes these responses represent the mutual agreement of the parties on the issues raised by DOE's comments.

Relative to the CE/T Plan itself there are two items of note. First, the original version of the CE/T Plan contained three maps that depicted various features and conditions post-physical completion of the FCP. These maps are not being resubmitted with this revision of the CE/T Plan, as they have not changed. One of the tasks to be completed in the September 30, 2005, update of the CE/T Plan is to revise the maps based on the latest understanding of the infrastructure required to be left in place. These maps will be revised and resubmitted at that time. The second item of note is that based on previous comments, Fluor Fernald and DOE agreed to include the Task Transfer Tools (discussed in Section A of the CE/T Plan) as an appendix to the CE/T Plan. However, these Task Transfer Tools are in the process of being finalized and will be submitted the week of May 2, 2005, under separate cover.

Fluor Fernald and DOE staff worked diligently to reach a mutual agreement on the proper interpretation of the contract term "Physical Completion" in determining mutually acceptable resolutions. The Meeting Summaries from the joint Steering Committee meetings provide DOE and Fluor Fernald positions on the various issues and document how the issues were resolved. The Comment Responses and Meeting Summaries provide the necessary background information to ensure that there is clarity in the DOE and Fluor Fernald mutual agreement reflected in the CE/T Plan.

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It is Fluor Fernald's understanding that DOE will review this revised CE/T Plan and provide approval within 30 calendar days of receipt. Once the CE/T Plan has been approved, DOE and Fluor Fernald will use the CE/T Plan as the basis to transfer the Site to Legacy Management and to provide a clear definition of the "end state" physical completion that will permit Fluor Fernald to submit its Declaration of Physical Completion. Subsequent changes to the CE/T Plan will only be made by approval of the DOE Contracting Officer and the Fluor Fernald Prime Contract Manager or their designees.

Although the contract requires Fluor Fernald to submit an update to the CE/T Plan one year prior to the Declaration of Physical Completion, the parties agreed during the steering committee meetings that Fluor Fernald will submit this update to DOE six months prior to the Declaration of Physical Completion. Under the current baseline plan, this update will be submitted no later than September 30, 2005. This update will incorporate any changes that have been mutually approved in the manner described above.

If you have any questions regarding this matter, please call Beth Bilson at (513) 648-7523 or me at (513) 648-3358.

Sincerely,

Dennis Sizemore, Manager
Prime Contract

DS:KA:jmb
Enclosures

c: With Enclosures

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# COMPREHENSIVE EXIT/TRANSITION PLAN

## FERNALD CLOSURE PROJECT
## FERNALD, OHIO

## U.S. DEPARTMENT OF ENERGY

**May 2005**

**20013-PL-0002, Revision 1, Final**

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## LIST OF ACRONYMS

| | |
|---|---|
| CA | Consent Agreement |
| CAWWT | Converted Advanced Wastewater Treatment Facility |
| CE/T | Comprehensive Exit/Transition Plan |
| CERCLA | Comprehensive Environmental Response Compensation and Liability Act |
| CFC | Certified for Construction |
| COR | Contracting Officer Representative |
| CQC | Construction Quality Control |
| CY | Calendar Year |
| DCN | Design Change Notice |
| DF&O | Directors Findings and Orders |
| D&D | Decontamination and Dismantlement |
| DOE | Department of Energy |
| ESD | Explanation of Significant Differences |
| FCP | Fernald Closure Project |
| FFCA | Federal Facility Compliance Agreement |
| FY | Fiscal Year |
| GMA | Great Miami Aquifer |
| GMR | Great Miami River |
| GWLMP | Groundwater Leak Detection and Leachate Monitoring Plan |
| HWMU | Hazardous Waste Management Unit |
| IEMP | Integrated Environmental Monitoring Plan |
| IPABS | Integrated Planning, Accountability and Budgeting System |
| LM | Legacy Management |
| LMICP | Legacy Management and Institutional Controls Plan |
| LLW | Low-level Waste |
| LTS | Long-Term Stewardship |
| NPDES | National Pollutant Discharge Elimination System |
| NRRP | Natural Resources Restoration Plan |
| NTS | Nevada Test Site |
| OEPA | Ohio Environmental Protection Agency |
| OMMP | Operations and Maintenance Master Plan |
| OSDF | On-Site Disposal Facility |
| OU | Operable Unit |
| PBS | Performance Baseline Schedule |
| PEIC | Public Environmental Information Center |
| PTI | Permit to Install |
| QA/QC | Quality Assurance/Quality Control |
| RCRA | Resource Conservation and Recovery Act |
| RI/FS | Remedial Investigation/Feasibility Study |
| ROD | Record of Decision |
| SWIFTS | Sitewide Waste Information, Forecast and Tracking System |
| USEPA | United States Environmental Protection Agency |
| WAC | Waste Acceptance Criteria |
| WAO | Waste Acceptance Organization |
| WPRAP | Waste Pits Remedial Action Project |

## REFERENCES

*The following references are specific to those documents that relate to activities to be undertaken during the legacy management phase.*

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U.S. Department of Energy, 1995 "Record of Decision for Remedial Actions at Operable Unit 2," Final, Fernald Environmental Management Project, DOE, Fernald Area Office, Cincinnati, Ohio

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U.S. Department of Energy, 2001 "First Five-Year Review Report for the FEMP," Final, Fernald Environmental Management Project, DOE, Fernald Area Office, Cincinnati, Ohio

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Letter C:CONT(CA/PC):2003-0067, Adam W. Rector, Manager, Prime Contract, Fluor Fernald to Robert J. Bell, Contracting Officer, DOE Fernald Closure Project, "Contract DE-AC24-01OH20115, Comprehensive Groundwater Strategy," dated June 30, 2003

U.S. Department of Energy, 2004 "Comprehensive Legacy Management and Institutional Controls Plan," Draft, Fernald Closure Project, DOE, Fernald Area Office, Cincinnati, Ohio

U.S. Department of Energy, 2004 "Operations and Maintenance Master Plan for Aquifer Restoration and Wastewater Treatment," Draft, *(Attachment A of the Comprehensive Legacy Management and Institutional Controls Plan),* Fernald Closure Project, DOE, Fernald Area Office, Cincinnati, Ohio

U.S. Department of Energy, 2004 "Post-Closure Care and Inspection Plan, On-Site Disposal Facility," Rev. 2, *(Attachment B of the Comprehensive Legacy Management and Institutional Controls Plan,* Fernald Closure Project, DOE, Fernald Area Office, Cincinnati, Ohio

U.S. Department of Energy, 2004 "Groundwater/Leak Detection and Leachate Monitoring Plan, On-Site Disposal Facility," Draft, *(Attachment C of the Comprehensive Legacy Management and Institutional Controls Plan),* Fernald Closure Project, DOE, Fernald Area Office, Cincinnati, Ohio

U.S. Department of Energy, 2004 "Site Transition Framework For Long-Term Surveillance And Maintenance," Draft, Office of Legacy Management, DOE, Pittsburgh, Pennsylvania

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Letter, C:CPD:2005-0009, Jamie Jameson, Closure Project Director, Fluor Fernald to William J. Taylor, Director, DOE Fernald Closure Project, "Contract DE-AC24-01OH20115, Transmittal of DOE Requested Cost Estimates," dated January 18, 2005.

U.S. Department of Energy, 2005 "Comprehensive Legacy Management and Institutional Controls Plan," Revision C, Fernald Closure Project, DOE, Fernald Area Office, Cincinnati, Ohio

# INTRODUCTION TO COMPREHENSIVE EXIT/TRANSITION PLAN

This document presents the Comprehensive Exit/Transition Plan (CE/T Plan) for the U.S. Department of Energy's (DOE's) Fernald Closure Project (FCP) located 17 miles northwest of Cincinnati. The FCP involves the cleanup and restoration of the 1,050-acre former Fernald Feed Materials Production Center following a 37-year production run during which nearly 500 million pounds of uranium metal products were produced in support of United States defense initiatives. Following formal shutdown in 1991, the Feed Materials Production Center was renamed the Fernald Environmental Management Project and the mission was formally changed to environmental restoration under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), commonly known as Superfund.

At the time Fernald's uranium production operations ceased, 31 million pounds of uranium products, 2.5 billion pounds of waste, and 2.75 million cubic yards of contaminated soil and debris required action. In addition, a 223-acre portion of the Great Miami Aquifer, a sole-source aquifer regulated under the Safe Drinking Water Act, was contaminated at levels above the proposed drinking water standards for uranium. To facilitate cleanup and environmental restoration, the CERCLA work scope was divided into five operable units: the waste pits (Operable Unit 1); miscellaneous waste units (Operable Unit 2); the production facility buildings, structures, and containerized legacy-waste inventories (Operable Unit 3); Silos 1&2 (also known as the K-65 silos) and Silo 3 (Operable Unit 4); and contaminated environmental media affected by past operations (Operable Unit 5).

During the time period 1994 to 1996, five CERCLA Records of Decision (RODs) were signed for the operable units by DOE and the U.S. Environmental Protection Agency (EPA) in cooperation with the Ohio EPA, the public and the Fernald Citizen's Advisory Board, setting in motion the major cleanup requirements and approaches that collectively define the Fernald cleanup. The RODs employ a combination of off-site and on-site disposal – referred to locally as Fernald's "balanced approach" – under which approximately 77 percent of the remedial waste volume (the site's lower concentration, higher volume materials) will be disposed of in an engineered on-site disposal facility (OSDF), while about 23 percent (the site's higher concentration, lower volume materials) will be sent off site for disposal, primarily at facilities in Utah and Nevada. Under the balanced approach, the final remedial actions contained in the RODs are:

- Production facility decontamination and dismantlement (D&D);
- On-site disposal of contaminated soil, facility D&D debris, and Operable Unit 2 wastes provided OSDF waste acceptance criteria are met;
- Off-site disposal of the contents of the two K-65 silos (Silos 1&2), Silo 3, the waste pit materials, nuclear product inventories, containerized low-level and mixed-waste inventories, and the limited quantities of soil and debris that do not meet OSDF waste acceptance criteria; and
- Extraction and treatment of contaminated groundwater to restore the affected portions of the Great Miami Aquifer to drinking water standards promulgated under the Safe Drinking Water Act.

The closure contract work scope is scheduled to be completed by June 2006 according to DOE's configuration controlled closure baseline. Fluor Fernald has established an accelerated baseline plan for early completion by March 31, 2006. The work is being implemented through Fernald Closure Contract

No. DE-AC24-01OH20115, December 2000, (with subsequent modifications) with Fluor Fernald, Inc. (Fluor Fernald), DOE's closure contractor for the site.

## PLAN ORIGIN

This CE/T Plan is a required deliverable under the Fernald Closure Contract, specifically through Section C.3.7 of the contract. As described in the contract, the CE/T Plan is intended to assist DOE in the analysis that the site is ready for transfer into long-term stewardship (LTS) (currently referred to as legacy management (LM)) and that Fluor Fernald has satisfactorily completed the closure contract statement of work elements.

As required by Section C.3.7 of the contract, the CE/T Plan is to be submitted to DOE by September 30, 2004, and is to be updated "one year prior to site closure". The update in 2005 will serve to formally capture any decisions or additional details for closeout and/or transition that may emerge beyond the initial September 30, 2004 deliverable date. The approved CE/T Plan will document the joint DOE/Fluor Fernald interpretation of the contract requirements for physical completion and provide the foundation for detailed planning. Any revisions in the 2005 update are expected to be relatively minor and should be primarily associated with updating information identified in this plan or reflecting decisions made during consultations with DOE. Fluor Fernald believes the CE/T Plan is subject to the review and approval requirements of contract, Section J, Attachment 12. Any substantive revisions to this CE/T Plan that add requirements without an adequate amount of time to accomplish implementing those requirements represent the equitable adjustment type of changed conditions.

## SCOPE AND OBJECTIVES

The CE/T Plan builds upon the extensive closure planning decisions already set in motion for the FCP through the development of the 2006 closure baseline, and recognizes the in-the-field maturity and completion status of the FCP's seven major remedial subprojects as described in the November 2003 Fernald Performance Management Plan. Accordingly, the CE/T Plan is aimed at the following three objectives:

- Satisfying Section C.3.7 of the contract, which calls for a readiness analysis to determine that the site is ready for transfer into legacy management. The CE/T Plan is a specific deliverable called for in Section C.3.7.
- Serving as the vehicle to demonstrate and formally document how each element of Fluor Fernald's contract statement of work (Section C of the contract) will be satisfied.
- Defining the process for conducting "preliminary declarations of work completion" and how these preliminary declarations relate to the eventual declaration that the FCP is physically completed in accordance with Clause F.6 of the contract.

In keeping with these objectives, the CE/T Plan is designed to answer several specific questions:

1. Recognizing that groundwater completion falls outside the Closure Contract (and active groundwater restoration continues beyond March 2006 under the Operable Unit 5 Record of Decision), what physical structures are to remain after declaration of physical completion pursuant to Clause F.6, both as part of the groundwater restoration infrastructure and as part of the legacy management infrastructure?

2. What physical completion activities must be accomplished for an acceptable declaration that the FCP has been physically completed under Clause F.6?

3. Conversely, what activities will be completed during the contract closeout period, following DOE's acceptance of Fluor Fernald's declaration that the FCP has been physically completed, under the separate budget and schedule to be provided in accordance with Clause F.7 of the contract?

4. And finally, what will be the approach (and accompanying schedule) for preparing, reviewing, and dispositioning the preliminary declarations of work completion and the eventual declaration that the FCP has been physically completed under Clause F.6 of the contract?

## DOCUMENT ORGANIZATION

The CE/T Plan is composed of three major sections. These sections and their contents are as follows:

### Section A – Legacy Management Readiness Analysis

Section A of the CE/T Plan is devoted to the elements of the legacy management readiness analysis and is organized around the nine dimensions (authority and accountability, site conditions, engineered controls, financial and human resources, information management, institutional controls, regulatory requirements, public outreach, and natural/cultural/historical resources) designated by DOE in Section C.3.7 of the contract Statement of Work. The intent of Section A of this plan is to provide the criteria based on regulatory and contract requirements by which a readiness analysis can be conducted and represent criteria relative to Fluor Fernald that must be achieved for transfer of the FCP to the legacy management phase. DOE will add any additional internal criteria in the DOE Site Transition Plan. Specific transition activities for which Fluor Fernald is responsible will be detailed in a Task Transfer Tool discussed in Section A of the CE/T Plan.

### Section B – Statement of Work Compliance Matrix

Section B of the CE/T Plan is a contract completion compliance section that is organized around the individual Statement of Work elements contained in Section C of the contract. Section B of the CE/T is divided into two subsections (B.1 and B.2) to distinguish those Statement of Work elements the completion of which is necessary in order for Fluor Fernald to successfully declare the FCP has been physically completed (as defined in Clause F.6 of the contract) from those elements which are unrelated to physical completion that may or may not continue after the declaration and DOE acceptance that the FCP has been physically completed. For each Statement of Work element in subsections B.1 and B.2, an individual matrix is provided that identifies: 1) the definition of the work scope for that element; 2) the activities that define completion for that element; 3) the deliverable(s) that document completion; 4) the components, if any, that are transferred to legacy management; and 5) the components, if any, that will continue during the contract closeout period.

In this way, B.1 addresses those physical activities that must be complete to meet Clause F.6's declaration that the FCP has been physically completed requirement, that in turn establishes the cut-off date for calculation of the cost and schedule incentive fee and permits DOE to identify "punch list" items that must be completed by Fluor Fernald at it's own expense prior to the "Final Declaration Letter for physical completion of the FCP." Subsection B.2 then addresses those activities that will be completed as a part of Contract Closeout in accordance with Clause F.7 of the contract.

**Section C – Declaration Process and Contract Closeout**

Section C of the CE/T Plan identifies the declaration strategy for preliminary declarations of work completion and how these preliminary declarations relate to the eventual declaration that the FCP has been physically completed (including a proposed schedule for preliminary declarations) to meet the requirements of Clause F.6, "Declaration of Site Closure." As Clause F.6 describes, the intent of the Declaration of Site Closure process is to 1) identify when the FCP has been physically completed, so that the completion date can be established for incentive fee determination purposes, and 2) to identify any "punch list" deficiencies that must be corrected as an unallowable expense after the fixed completion date.

Allowable closeout activities (and expenses) that occur beyond the physical completion date would be accumulated as part of contract closeout, under a separate budget and schedule as described in Clause F.7 Contract Closeout. Contract Clause F.7, required a detailed Contract Closeout Plan, including budget and schedule for activities described therein, to be submitted as a separate formal deliverable concurrently with Fluor Fernald's letter declaring that the FCP has been physically completed. However, Fluor Fernald and DOE have agreed to submit this Contract Closeout Plan early with a target submission date of September 30, 2005.

## INTENDED AUDIENCE

The CE/T Plan is written primarily to serve two distinct audiences. First, it will be used by DOE as the governing document from which DOE can conduct its readiness analysis of site transfer into legacy management while recognizing the declaration of physical completion approach. Secondly, the CE/T Plan will be used by Fluor Fernald to prepare for and execute its exit and transition activities. The Closure Contract requires delivery of this CE/T Plan, but there is no requirement under CERCLA or other applicable laws and regulations to submit the plan to the regulatory agencies or other official audiences. It may serve to enhance, however, external communications with outside audiences such as USEPA, Ohio EPA, and the Fernald Citizen's Advisory Board concerning the stepwise completion of the closure contract and the ultimate entry of the site into legacy management.

## DEFINITIONS

There are two issues of terminology that must be defined as used throughout this CE/T Plan. The first is the use of the term physical completion and the second is the use of the term legacy management.

Clause F.6 of the contract makes reference to two separate contractor declarations relative to physical completion. The first involves "declaring that the FCP has been physically completed" and is subject to a fourteen-business day reasonableness evaluation by DOE. Subsequent to this reasonableness evaluation, DOE will within 60 calendar days accept the project as complete or provide Fluor Fernald with a final definitive punch list of material deficiencies which preclude DOE from accepting the physical completion and a time frame for completion. The second declaration then is a "Final Declaration Letter for physical completion of the FCP" which is made after completion of the punch list of material deficiencies generated by DOE after accepting the first declaration. Throughout this document, all references to physical completion refer to the first declaration unless specifically identified otherwise as "Final Declaration."

The second term requiring explanation is legacy management. Section C.3.7 of the contract (and elsewhere in the contract) uses the terminology "long-term stewardship" and refers to that phase of the FCP after physical completion has been achieved. The currently accepted terminology is "legacy management" and this terminology has been used throughout this CE/T in place of long-term stewardship (except when quoting directly from the contract). The use of the term legacy management in the CE/T refers to the phase of the FCP after physical completion and not to the DOE Office of Legacy Management.

# SECTION A - READINESS ANALYSIS FOR THE TRANSFER OF THE FCP TO LEGACY MANAGEMENT

Section A of the CE/T Plan meets the specific contractual requirement for Fluor Fernald to assist DOE with a readiness analysis for transfer of the site into the legacy management phase. As Section C.3.7 of the contract states, "The contractor shall assist DOE's analysis of site transfer readiness into LTS. The readiness analysis shall include the following: authority and accountability, site conditions, engineered controls, institutional controls, regulatory requirements, management of financial and human resources, information management, public outreach, and management of natural, cultural and historical resources. This analysis will be titled the 'FCP/Comprehensive Exit/Transition Plan' and shall be completed not later than September 30, 2004. The Plan will be updated one year prior to site closure."

The criteria identified in the following Sections relate to Fluor Fernald's specific obligations. Fluor Fernald acknowledges that additional criteria may be added to DOE's readiness analysis to address those criteria necessary for DOE's internal transfer from DOE-EM to DOE-LM. These internal DOE criteria are beyond the scope of the CE/T Plan.

**Organization of Section A**

Section A establishes the criteria to be used by DOE in assessing site transfer readiness into legacy management. It is recognized that Section C.3.7 of the contract states that the actual readiness analysis will be the CE/T Plan. Given the requirements to submit the Plan by September 30, 2004 with an update one year prior to physical completion of the FCP (and, hence a year before final transfer to legacy management) a meaningful, comprehensive analysis of actual readiness to transfer to legacy management cannot be the objective of the Plan. As such, Fluor Fernald's interpretation of this requirement is to provide in this document the explicit criteria to be used by DOE in conducting the readiness analysis. Fluor Fernald is committed to assist DOE to the maximum degree appropriate during any readiness assessment. Completion of Section A of the CE/T Plan satisfies the requirement from Section C.3.7 that "The Contractor shall assist DOE's analysis of site transfer readiness into LTS" by defining the readiness criteria for each of the readiness categories required by the contract.

Section A includes a responsibility assignment matrix (RAM) for each of the nine readiness analysis categories identified above. The RAM will comprehensively define Fluor Fernald's obligations under the third bulleted item in Section C.1.2 of the contract. The referenced contract provisions require Fluor Fernald to "... install the infrastructure and develop the necessary plans that establish the specific Long Term Stewardship activities required for the Fernald site. Infrastructure consists of the facilities and equipment necessary for institutional controls and the long term surveillance and maintenance of the remedy." The clause also requires that "The Contractor shall assure smooth transition of the site to the contractor responsible for LTS." Fluor Fernald's declaration that the FCP has been physically completed, related to the third bullet in Section C.1.2 of the contract, will be based solely on completion of the activities identified in the RAMs.

In preparing the criteria for the readiness analysis contained in this section, Fluor Fernald used the Site Transition Framework For Long Term Surveillance and Maintenance, Draft, Rev. 2 (January 2004) developed by the Department of Energy Office of Legacy Management as a guide to address the specific

dimensions of readiness defined in the contract. While this document was written to address DOE's internal transfer from the Office of Environmental Management to the Office of Legacy Management, the framework addresses those actions that a DOE site should undertake to facilitate a site's transition into long-term surveillance and maintenance. This framework is not prescriptive and can be adapted to accommodate unique site-specific requirements, needs, and documents.

Fluor Fernald and representatives from DOE's Office of Legacy Management have engaged in numerous discussions and meetings prior to the submission of this CE/T Plan and future meetings are planned. These meetings will facilitate a smooth transition process and eventual transfer of the responsibility of specific items and activities from Fluor Fernald to the responsibility of DOE and/or their legacy management contractor. A Task Transfer Tool has been developed, which will serve as a supplement to Section A of this CE/T Plan. The purpose of this Task Transfer Tool is to identify the what, how, whom, and when for all the specific activities within each of the nine readiness dimensions that require a transition/transfer to legacy management. The Task Transfer Tool will describe in detail the activity to be transferred, the approach for transition, and an identification of the responsible parties for Fluor Fernald, DOE-EM, and DOE-LM, and the transfer schedule target dates. DOE and Fluor Fernald will complete and formalize this Task Transfer Tool as an appendix to the CE/T Plan. As an iterative process, the maintenance and updating of the Task Transfer Tool will be accomplished outside the CE/T Plan. The logic is that the CE/T Plan is defining the criteria to transfer the FCP to the legacy management phase and the Task Transfer Tool provides the details, including schedule, to get there. The Task Transfer Tool is an implementation document that will assist DOE and Fluor Fernald in achieving the desired state of readiness. Changes to schedule dates in the Task Transfer Tool of less than 60 days can be made by agreement between the Fluor Fernald and DOE subject matter experts. Changes of greater than 60 days and any additions or deletions will require agreement between the DOE Contracting Officer and the Fluor Fernald Prime Contract Manager or their designees.

**Relationship of the Readiness Analysis to Fluor Fernald's Declaration that the FCP Has Been Physically Completed**

Fluor Fernald is required to assist DOE's analysis of site transfer readiness into legacy management, but completion of this action by DOE is not required in order for Fluor Fernald to submit its declaration that the FCP has been physically completed in accordance with Clause F.6 nor is it required for DOE to accept as reasonable Fluor Fernald's declaration. DOE may complete this readiness analysis before Fluor Fernald's declaration or during the fourteen-business day evaluation of the reasonableness of this declaration. In any case, the transfer to legacy management occurs at the point DOE accepts Fluor Fernald's declaration as reasonable. Once accepted, Fluor Fernald will only be responsible for rectifying the punch list of material deficiencies and any remaining activities identified in the Task Transfer Tools. Alternatively, DOE may elect to assume certain legacy management-related activities prior to Fluor Fernald's declaration at its prerogative.

One of the key findings that DOE will need to make during the readiness analysis is the finding that sufficient levels of trained and qualified personnel are in place to continue with remedial operations and support activities that extend beyond the site physical completion date established pursuant to Clause F.6. Fluor Fernald's role will be to ensure that such levels of trained and qualified personnel are in place, up to

the physical completion date. DOE will have options regarding how they wish to proceed with obtaining staffing beyond the physical completion date (e.g., direct hire of Fluor Fernald's existing trained personnel into the legacy management contractor; bringing in new legacy management contractor personnel; new subcontracts, etc.). If DOE elects not to hire the existing trained and qualified Fluor Fernald resources into the legacy management contractor workforce for the ongoing operations beyond the physical completion date, then Fluor Fernald will assist DOE with the training of the new non-Fluor Fernald personnel as appropriate. Depending on if/when DOE elects to make the new qualified legacy management personnel available for training (either before or after the physical completion date), Fluor Fernald will assist DOE either as a natural consequence of ongoing work (if the non-Fluor Fernald personnel are available *before* the physical completion date) or else as a formally recognized activity that will be incorporated into Contract Closeout (if the personnel are made available *after* the physical completion date). Either way, the training assistance provided by Fluor Fernald as part of DOE's legacy management readiness preparations will not be considered a prerequisite condition for DOE to accept Fluor Fernald's declaration that the FCP has been physically completed.

A RAM is provided below to capture the general activities under Section A of the CE/T Plan.

**Responsibility Assignment Matrix (RAM) – General**

| Activity | Responsibility | Comment |
|---|---|---|
| Assist DOE analysis of site transfer readiness to legacy management | Fluor Fernald – No later than September 30, 2004.<br><br>DOE-CO – Review/Approve consistent with Attachment 12 of Closure Contract. | Development of this CE/T Plan, Section A satisfies this requirement from C.3.7. Any substantive revisions to this CE/T Plan that add requirements without an adequate amount of time to accomplish implementing those requirements represent the equitable adjustment type of changed conditions. |
| Develop Comprehensive Legacy Management & Institutional Controls Plan (LMICP) for FCP | Fluor Fernald – Submit the plan for DOE acceptance (Document 20013-PL-0001, Rev. B, submitted July 2004)<br><br>DOE CO – Review/Approve consistent with Attachment 12 of Closure Contract. | See discussion below. |
| Assess FCP's readiness to transfer to legacy management based on the criteria contained in the CE/T Plan | DOE – perform the assessment<br><br>Fluor Fernald – assist as appropriate | Any delay in completion of this readiness analysis or assumption of legacy management responsibilities by DOE shall not preclude Fluor Fernald from submitting its declaration that the FCP has been physically completed in accordance with Clause F.6 |

Fluor Fernald's ability to complete the physical completion requirements under Clause F.6 is dependent upon a timely, explicit agreement between the parties as to what those requirements are. To ensure adequate time to plan for and implement related physical completion requirements, it is Fluor Fernald's

position that review and approval of this document by DOE is subject to Attachment 12 of the contract.but in any event DOE Contracting Officer approval is required no later than May 31, 2005. Once approved, the CE/T Plan will serve as the contractual basis for mutual understanding of Fluor Fernald's requirements and process for declaring physical completion. For the reason given above it is anticipated that only minor revisions will be associated with the update to this Plan (per agreement with DOE, currently targeted for September 30, 2005) . Fluor Fernald recognizes that DOE may not be in a position to identify all facilities and property that will be required by legacy management until the LMICP is approved. Fluor Fernald will work in good faith to facilitate smooth transfer of such items no matter when identified by the Department. Fluor Fernald and DOE will work together to determine how changes to these plans, if any, that cause delays or cost increases will be contractually implemented.

## SECTION A.1 – AUTHORITY AND ACCOUNTABILITY

Transfer of the FCP to legacy management , requires Fluor Fernald to support the development and approval of the necessary documents which will define and govern site operations post Site Closure pursuant to Clause F.6 and identify the commitments and agreements with the regulatory agencies that remain in force. These bounding documents, commitments, and agreements establish the legal authority for site operations from a regulatory perspective.

The site operations and the associated governing documents for the FCP after physical completion has been achieved will include:

- Activities and commitments associated with long-term environmental monitoring including management and reporting of environmental data defined in the Integrated Environmental Monitoring Plan (a part of the Comprehensive Legacy Management & Institutional Controls Plan (LMICP))
- Activities and commitments associated with the maintenance, care, and monitoring of the On-Site Disposal Facility (OSDF) are defined in the LMICP
- Activities and commitments associated with the management of OSDF Leachate defined in the LMICP
- Activities and commitments associated with the operation, maintenance, and monitoring of the groundwater pump and treat remedy involving the several extraction wells, reinjection system, wastewater treatment, and groundwater modeling defined in the LMICP. Discharges to the Great Miami River associated with operation of the groundwater remedy governed by the Operable Unit 5 Record of Decision and the NPDES Permit.
- Activities and commitments associated with providing the necessary security and maintenance of the site defined in the LMICP
- Activities and commitments associated with the monitoring and maintenance of all restored areas including wetlands defined in the LMICP
- Activities and commitments associated with public involvement and outreach defined in the LMICP

In addition to the specific documents that establish the specific commitments for continued site operations, there are numerous legal agreements that have been negotiated over the years that continue in force until terminated through established termination clauses or terminating through negotiation with the affected parties. The termination of these legal agreements will extend past Fluor Fernald's "Final Declaration Letter for physical completion of the FCP." Various regulatory programs will remain in effect or require continuing evaluation (discussed in Section A.7 of the CE/T Plan) as long as certain activities take place or emissions and effluents are released.

The following responsibility matrix discusses the bounding documents and legal authorities that will govern site operations post physical completion (Institutional Controls are discussed in Section A.6 of the CE/T Plan).

## Responsibility Assignment Matrix (RAM) for Authority and Accountability Readiness Analysis

| Activity | Responsibility | Comments |
|---|---|---|
| Preparation of the Comprehensive Legacy Management & Institutional Control Plan (LMICP) including the following support plans. Attachments to this plan include:<br>• OSDF Post Closure Care and Inspection Plan<br>• Groundwater/Leak Detection and Leachate Monitoring Plan<br>• Operations and Maintenance Master Plan for the Aquifer Restoration and Wastewater Project<br>• Integrated Environmental Monitoring Plan (IEMP) | Fluor Fernald to prepare. Fluor Fernald will install and maintain the required physical infrastructure and implement all commitments until the FCP has been physically completed. Fluor Fernald and DOE will work with the regulatory agencies to address any remaining issues from the 4/15/2005 submittal to minimize the need for any comments. | In the event that there is any delay in the approval of the LMICP that results from actions or inactions by DOE, the Agencies, or other stakeholders that results in any impact to Fluor Fernald's cost or schedule incentive fee, Fluor Fernald shall be entitled to an equitable adjustment to the cost and schedule incentive fee provisions of the contract unless the delay results from the fault or negligence of Fluor Fernald.<br><br>The LMICP was updated and resubmitted on April 15, 2005 after resolving regulatory comments on the July 2004 version of the LMICP. The 4/15/2005 submittal would satisfy contractual requirements for DOE acceptance of the LMICP with the understanding that it will need to be revised to accommodate any changes that occur before the end of the calendar year. The final update is scheduled for January 31, 2006.<br><br>The revision and review cycle for the IEMP is established in the IEMP. Fluor Fernald will comply with this cycle through CY 2005, which will establish requirements for CY2006. DOE will take responsibility for implementing the requirements in the IEMP and maintaining this document beginning March 2006. |
| | | |
| Continuance of the OU5 ROD | DOE | Because the remedies under the OU5 ROD will not be complete, the requirements under the OU5 ROD will remain in effect. |
| The continuation of wastewater/storm water/groundwater discharges under National Pollutant Discharge Elimination System (NPDES) Permit; 1IO00004*GD. (The current permit remains in effect until June 30, 2008; a renewal application is due 180 days prior to expiration) | Fluor Fernald/DOE | The DOE is the permittee and the provisions and requirements of the permit remain in effect. Fluor Fernald has prepared and signed all applications as well as prepared and signed required monthly reports. Change in signatory letters will be prepared when DOE determines who will sign reports and applications consistent with 40 CFR 122.22 |
| The provisions of all legal agreements, permits, and commitments to which DOE is a party will remain in effect. (Legal agreements are identified in Table A.1-1. Permits and commitments are identified in Table A.1-2) | DOE | Compliance with the legal agreements will still be required until the termination provisions of the individual agreement are met or DOE negotiates alternative sun-setting requirements. |

| Activity | Responsibility | Comments |
|---|---|---|
| Remove Fluor Fernald as a named party from legal agreements where it is a party (the June 1996 OEPA Directors Findings and Orders: RCRA/CERCLA Integration and the September 2000 OEPA Directors Findings and Orders: Groundwater Monitoring). | DOE/Fluor Fernald | The specific actions necessary to end Fluor Fernald's responsibilities under the legal agreements to which Fluor Fernald is a party involve the notification by DOE to OEPA that the contract with Fluor Fernald is completed. Draft letters will be prepared by Fluor Fernald for the DOE to provide these notifications. (Preparation of these letters and resolution of any issues related to this paperwork is not a part of the declaration of physical completion under Clause F.6 of the contract) |
| Develop a listing of all easements and access agreements required to access and maintain groundwater, utilities, and legacy management infrastructure | Fluor Fernald | The listing has been developed and submitted to DOE and will be evaluated and updated (if needed) once the final configuration of the referenced infrastructure is finalized. |

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## Table A.1-1 - Fernald Closure Project – Legal And Regulatory Requirements

| Legal Agreement Title and Date | Parties Involved | Termination Clause |
|---|---|---|
| Federal Facility Compliance Agreement – July 1986 | DOE and USEPA | No specific termination clause. The FFCA was executed to ensure compliance with laws and regulations under the CAA, RCRA, and CERCLA and that a comprehensive RI/FS is performed. "Upon demonstration of compliance with DOE with this agreement, there will be a continuing obligation to comply with applicable permit and other requirements under the relevant statutes."<br><br>***Item 2J of this agreement requires that after completion of work, USEPA evaluate the remedial action and either approve or specify the steps necessary to complete remedial action.*** |
| Director's Findings and Orders – June 1987 | DOE, Westinghouse, and OEPA | No specific termination clause. Many of the specific orders were rolled into the December 1988 Consent Decree. |
| FFCA First Modification – June 1988 | DOE and USEPA | No specific termination clause. Amended language relative to the enforceability provisions in the FFCA and added language relative to review of submittals. |
| Consent Decree – December 1988 (US District Court) | DOE and State of Ohio | Section 13.2 states the "Decree shall terminate as to DOE upon completion of the mandatory relief ordered herein, or upon the passage of 5 years from its effective date, whichever is later." |
| Consent Decree – December 1988 | WMCO and State of Ohio via the US District Court | Section 9.2 states the "Decree shall terminate upon the passage of 5 years from its effective date." **CLOSED** |
| Stipulation and Settlement Agreement for issues regarding Waste Pit 4 - 12/19/88 | DOE and OEPA | Section V.8 of the June 1996 Integrated RCRA/CERCLA DF&O states that compliance with the DF&O satisfies the requirements of this Agreement and that closure of Waste Pit 4 will continue under the DF&O. **CLOSED** |
| State's Charges in Contempt of Court – Civil Action C-1-86-0217, April 1990 | DOE, WMCO, and State of Ohio | The Stipulated Amendment to December 1988 Consent Decree and Settlement of Contempt Charges, January 1993, settled these charges. **CLOSED** |
| Consent Agreement – April 1990 (Amended 1986 FFCA provisions relating to completion of RI/FS and remedial action.) | DOE and USEPA | Section 36 states the "provisions of this Agreement shall be deemed satisfied upon the receipt of written notice from USEPA that DOE has demonstrated to USEPA's satisfaction that all terms of this agreement have been completed."<br><br>***Section XI C states that all documents approved pursuant to Section XI Remedial Design/Remedial Action shall be incorporated into and an enforceable part of the agreement.***<br><br>***Section XV is an additional work clause that provides USEPA the authority to require additional work they deem necessary (subject to dispute resolution) to accomplish the objectives of the agreement.*** |

| Legal Agreement Title and Date | Parties Involved | Termination Clause |
|---|---|---|
| Amended Consent Agreement – September 1991 (Amended 1990 Consent Agreement) | DOE and USEPA | Section 37 states the "provisions of this Agreement shall be deemed satisfied upon the receipt of written notice from USEPA that DOE has demonstrated to USEPA's satisfaction that all terms of this agreement have been completed."<br><br>***Section XI D identifies the potential for conducting a site-wide residual risk assessment to be submitted following completion of all response actions. DOE has agreed to perform both an interim residual risk assessment (at the onset of legacy management) and a final residual risk assessment at the completion of all remedial actions including groundwater.***<br><br>***Section XI E states that all documents approved pursuant to Section XI Remedial Design/Remedial Action shall be incorporated into and an enforceable part of the agreement.***<br><br>***Section XV is an additional work clause that provides USEPA the authority to require additional work they deem necessary (subject to dispute resolution) to accomplish the objectives of the agreement.*** |
| Federal Facilities Agreement (Radon Emissions)– November 1991 | DOE and USEPA | Section 14 states the "Agreement shall terminate upon (1) mutual consent of the parties, ***or (2) demonstration of compliance in accordance with paragraphs 25 and 33 of this Agreement over a period of 1 year following completion of all relevant remedial actions." The referenced sections limit Rn-222 emissions to no greater than 20 pCi/m$^2$-s as an average for the entire radon-emitting source (e.g. waste pit, silo, etc.).*** |
| Stipulated Amendment to December 1988 Consent Decree and Settlement of Contempt Charges – January 1993 | DOE and State of Ohio | Termination provisions of the December 1988 Consent Decree were not altered by this amended decree. Therefore the amended provisions of the decree would need to be satisfied in a manner described for the original decree. |
| OU2 Dispute Resolution under the September 1991 ACA | DOE and USEPA | No specific termination clause. The implementation of the supplemental environmental project, payment of assessed penalties, and compliance with the revised submittal schedules for OU's 1, 2, 3, & 5 originally specified in the ACA. The SEP's were completed and penalties were paid. **CLOSED** |
| OEPA Directors Findings and Orders: Groundwater Monitoring – November 1993 (Amended September 2000) | DOE, FERMCO, and OEPA | Section VIII states the orders shall terminate upon certification by DOE that all obligations under the orders have been performed and OEPA DHWM accepts this certification. The orders may also terminate upon notification to DOE by OEPA DHWM that DOE is no longer required to maintain the groundwater monitoring systems. ***E-Mail From OEPA Attorney To R. Holmes States That 9/93 DF&O Terminated With The Execution Of 9/00 DF&O.*** **CLOSED** |
| OEPA Directors Findings and Orders: UNH – December 1994 | DOE, FERMCO, and OEPA | Section VI states the orders shall terminate upon certification by DOE and/or FERMCO that all obligations under the orders have been performed and OEPA DHWM accepts this certification. **CLOSED** |
| OEPA Directors Findings and Orders: Site Treatment Plan – October 1995 | DOE and OEPA | Section XIV states the orders shall terminate upon certification by DOE all obligations under the orders have been performed or that all mixed wastes subject to these orders are stored and will continue to be stored in compliance with OAC 3745-59-50 (replaced by 3745-270-50) and OEPA DHWM accepts this certification or demonstration. |

| Legal Agreement Title and Date | Parties Involved | Termination Clause |
|---|---|---|
| OEPA Directors Findings and Orders: RCRA/CERCLA Integration – June 1996 | DOE, FERMCO and OEPA | Section VIII states the orders shall terminate, as to DOE, upon certification by DOE all obligations under the orders have been performed and OEPA DHWM accepts this certification. ***As to FERMCO (Fluor Fernald), all obligations terminate upon the effective date of the termination of the contract with DOE. (FERMCO liable for any violation of the orders prior to contract termination)*** |
| Agreement to Amend the ACA – June 1996 | DOE and USEPA | This agreement amends the ACA by deleting the requirement for the submission of the Comprehensive Sitewide Operable Unit documents. Termination provisions of the ACA were not modified. ***This amendment was never executed. A new request has been prepared and transmitted to DOE for submission to USEPA. (C:CPD:2003-0057, dated October 15, 2003) Negotiations with USEPA subsequent to this submittal has resulted in a Fact Sheet being prepared and an associated public comment period. All parties have accepted the elimination of this Sitewide Operable Unit including USEPA, Ohio EPA, and the Fernald Citizens Advisory Board. It is expected that the changes to the ACA will be finalized in the spring/summer 2005 time frame.*** |
| OU4 Dispute Resolution under the ACA – July 1997 | DOE and USEPA | No specific termination clause. Demonstration that the terms of the resolution are met. |
| OEPA Directors Findings and Orders: Groundwater Monitoring – September 2000 | DOE, OEPA, Fluor Fernald | Section VIII states the orders shall terminate upon certification by DOE that all obligations under the orders have been performed and OEPA DHWM accepts this certification. The orders may also terminate upon notification to DOE by OEPA DHWM that DOE is no longer required to maintain the groundwater monitoring systems. Terminates as to Fluor Fernald upon the termination of its contract with DOE (still liable for violations prior to contract termination)<br><br>***GW monitoring implemented through IEMP. IEMP remains in effect throughout duration of remedial activities as determined by OEPA.*** |

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## Table A.1-2 - Fernald Closure Project – Permits and Commitments

| Permit/Commitment Title and Date | Parties Involved | Termination Clause |
|---|---|---|
| Air Permits to Install | OEPA and facility (DOE) | No specific termination clause. PTI conditions sunset when the equipment/system is removed from service because it is being replaced by a new system or the pollutant source for which the equipment/system was installed is no longer required to be controlled. No PTI's will be effective at physical completion of the FCP. |
| Air Permits to Operate | OEPA and facility (DOE) | No specific termination clause. PTO's sunset when the source being controlled is removed from service. No PTO's will be effective at physical completion of the FCP. |
| Wastewater Permits to Install | OEPA and facility (DOE) | No specific termination clause. PTI conditions sunset when the equipment/system is removed from service because it is being replaced by a new system or the pollutant source for which the equipment/system was installed is no longer required to be controlled. No PTI's will be effective at physical completion of the FCP. |
| RCRA Part B Application | OEPA and facility (DOE) | No specific termination clause. Per the 1996 DF&O, the application is enforceable as a permit. A permit application will not be required after mixed waste inventory is removed from site. The FCP should be able to meet the Small Quantity Generator status or 90-day storage limitation. |
| NPDES Permit 1IO00004*GD | OEPA and facility (DOE) | The permit expires June 30, 2008. In order to continue discharging to waters of the state, a complete renewal application will be required to be submitted to OEPA 180 days prior to expiration. An NPDES Permit, in some form, will be required as long as discharges to waters of the state continue. |
| Programmatic Agreement for Disposition of Facilities Under the OU3 IROD – February 1996 | DOE, Advisory Council of Historic Preservation, Ohio Historic Preservation Office | Terminate upon 30 days written notice to other parties. |
| National Federal Facility Compliance Agreement on the Storage of PCB's – August 1996 | DOE and USEPA | No specific termination clause. Programmatic agreement between USEPA and USDOE that is not site specific. |
| Programmatic Agreement for Archaeological Investigations – March 1997 | DOE, Advisory Council of Historic Preservation, Ohio Historic Preservation Office | Terminate upon 30 days written notice to other parties. |

## SECTION A.2 - SITE CONDITIONS

In this portion of the analysis, DOE will assess the extent to which site conditions are accurately and comprehensively documented. Comprehensive documentation of site conditions will be considered adequate for the purposes of transfer into legacy management upon DOE's verification that the following exist:

**Responsibility Assignment Matrix (RAM) for Site Conditions Readiness Analysis**

| Activity | Responsibility | Comments |
|---|---|---|
| The Final Remedial Action Reports for Operable Units 1, 2, 3, and 4 and the Interim Remedial Action Report(s) for OU5 are prepared. | Fluor Fernald – Submittal to DOE prior to Fluor Fernald's letter declaring the FCP has been physically completed per Clause F.6 of the contract. The Final and Interim Remedial Action Reports will follow the same form, format, and content standard of documents previously submitted and approved. Fluor Fernald will support this effort up to the declaration that the FCP has been physically completed.<br><br>DOE-EM – Review/Approve consistent with Attachment 12 of the Closure Contract. | Fluor Fernald will complete these reports and can assist with resolution of any issues/comments arising during regulatory review. With the acceptance of these reports for submission to the regulatory agencies, Fluor Fernald recognizes the potential need to support the resolution of regulatory comments to securing agency approval. However, supporting the resolution of comments is not Fluor Fernald's responsibility under the Closure Contract and will be the responsibility of DOE during legacy management (The Final Remedial Action Report for OU5 will be completed as part of legacy management) |
| Identification of all primary documents that describe the historical uses of the site and the historical areas of contamination. | Fluor Fernald has identified these documents in Table A.2-1. These will be located in the CERCLA reading room. | The matrix of all documents in the FCP administrative record can be made available. It is assumed the CERCLA reading room will be located off-site. |
| The Final Natural Resources Restoration Plan which provides a conceptual model of the restoration of the time of physical completion of the FCP. The combined individual restoration designs will constitute the final grade and restoration plan. (The restoration designs are identified in Matrix Table B.1-2) | Fluor Fernald – Already submitted to DOE.<br><br>DOE – No new action required. Contract already recognizes January 2002 Plan. | The January 2002 Natural Resource Restoration Plan documents the anticipated site condition at physical completion of the FCP. Fluor Fernald's Declaration strategy laid out in Section C of the CE/T Plan defines the process for confirming the requirements of this Plan are in place. Any delay in resolution of NRDA will not delay Fluor Fernald's ability to declare physical completion, and Fluor Fernald's incentive fee will not be affected by any additional costs incurred as a result of such delays. |

| Activity | Responsibility | Comments |
|---|---|---|
| FCP Post Closure Map No. 1, Monitoring Wells, indicating the location of all required groundwater monitoring wells | Fluor Fernald – Submittal of draft to DOE as a part of this CE/T Plan; revised as necessary with submission of revised CE/T Plan one year prior to physical completion; and revised/finalized, if necessary, at the time of Fluor Fernald's declaration that the FCP has been physically completed under Clause F.6 of the contract. Target date for completion is September 30 2005. | Map will be finalized when all monitoring wells needed to monitor groundwater remedy and eventual groundwater certification are determined. This map will be submitted as soon as feasible following Fluor Fernald's declaration that the FCP has been physically completed. Any finalization of punch list items associated with these maps will be subject to the provisions of Clause F.6 of the contract. |
| FCP Post Closure Map No. 2, Water Related Infrastructure. This map will show the remaining remedy performance infrastructure including the OSDF, leachate management, and groundwater extraction and treatment infrastructure. This will also indicate the location of site utilities (gas, electric, communications) | Fluor Fernald – Submittal of draft to DOE as a part of this CE/T Plan; revised as necessary with submission of revised CE/T Plan one year prior to physical completion; and revised/finalized, if necessary, at the time of Fluor Fernald's declaration that the FCP has been physically completed under Clause F.6 of the contract. Target date for completion is September 30 2005. | Map will be finalized once actual pipeline routes supporting CAWWT are determined, decisions made on re-injection infrastructure, decisions on leaving/pulling dormant extraction/injection wells, and leachate management is determined. This map will be submitted as soon as feasible following Fluor Fernald's declaration that the FCP has been physically completed. Any finalization of punch list items associated with these maps will be subject to the provisions of Clause F.6 of the contract. |
| FCP Post Closure Map No. 3, Miscellaneous Site Features will identify the legacy management infrastructure. | Fluor Fernald – Submittal of draft to DOE as a part of this CE/T Plan; revised as necessary with submission of revised CE/T Plan one year prior to physical completion; and revised/finalized, if necessary, at the time of Fluor Fernald's declaration that the FCP has been physically completed under Clause F.6 of the contract. Target date for completion is September 30 2005. | Map will be finalized when DOE decides what facilities are needed. This map will be submitted as soon as feasible following Fluor Fernald's declaration that the FCP has been physically completed. Any finalization of punch list items associated with these maps will be subject to the provisions of Clause F.6 of the contract. |
| FCP Post Closure Map No. 4 will identify the soil excavation areas that have been certified to meet final remediation levels and those soil areas that have yet to be certified. | No draft will be submitted with the CE/T Plan. This map is similar to the map routinely generated by the SDFP depicting the certification status of the remediation areas. Target date for completion is September 30 2005. | Map will be finalized when remaining facilities are decided and all known certification activities based on these known facilities are identified. This map will be submitted as soon as feasible following Fluor Fernald's declaration that the FCP has been physically completed. Any finalization of punch list items associated with these maps will be subject to the provisions of Clause F.6 of the contract. |
| Site Environmental Report for CY 2005 | The draft report will be completed to the extent feasible given the ability to secure all necessary analytical results. | Addressing comments on the 2005 SER will be the responsibility of DOE-LM |

| Activity | Responsibility | Comments |
|---|---|---|
| Completion of an Interim Residual Risk Assessment | Within 90 days after the declaration of physical completion Fluor Fernald will complete an interim residual risk analysis for the work completed. | The Interim Residual Risk Assessment document will serve as a basis for the final residual risk analysis to be performed by DOE after all remedial actions are completed. |

An estimate of the remaining contaminants and associated risks are described in the Operable Unit 5 Comprehensive Response and Risk Evaluations (CRARE) document (Feasibility Study Report for Operable Unit 5, Appendix H, June 1995). The CRARE document is already complete and defines residual risks to be encountered during the legacy management phase. Within 90 days after the declaration of physical completion Fluor Fernald will complete an interim residual risk analysis for the work completed. (Because this is not part of Fluor Fernald's scope of work a contract modification will be required) This interim residual risk analysis will serve as a basis for the final residual risk analysis to be performed by DOE after all remedial actions are completed. This final residual risk assessment will not occur until completion of groundwater remediation, which is beyond the scope of the closure contract and will, therefore, be accomplished as part of legacy management. A determination of "No Further Action" required will be based on this final residual risk assessment.

**Table A.2-1 Primary Reports for Operable Units**

| **Operable Unit 1** |
|---|
| Remedial Investigation Report for Operable Unit 1, Final, August 1994 (Vol. 1-6) |
| Feasibility Study Report for Operable Unit 1, Final, October 1994 (Vol. 1-3) |
| Final Record of Decision for Remedial Actions at Operable Unit 1, January 1995 |
| Final Explanation of Significant Differences for Operable Unit 1, September 2002 |
| Operable Unit 1 Record of Decision Amendment, October 2003 |
| Operable Unit 1 Final Remedial Action Report, TBD |
| **Operable Unit 2** |
| Remedial Investigation Report for Operable Unit 2, Final, January 1995 (Vol. 1-6) |
| Feasibility Study Report/Environmental Assessment for Operable Unit 2, Final, March 1995 (Vol.1-6) |
| Final Record of Decision for Remedial Actions at Operable Unit 2, June 1995 |
| Operable Unit 2 Final Remedial Action Report, TBD |
| **Operable Unit 3** |
| Operable Unit 3 Remedial Investigation / Feasibility Study Report, Final, February 1996 (Vol. 1-4) |
| Operable Unit 3 Record of Decision for Interim Remedial Action and Responsiveness Summary Final, June 1994 |
| Operable Unit 3 Final Record of Decision for Final Remedial Action, August 1996 |
| Operable Unit 3 Final Remedial Action Report, TBD |
| **Operable Unit 4** |
| Remedial Investigation Report for Operable Unit 4, Final, November 1993 (Vol. 1-3) |
| Feasibility Study for Operable Unit 4, Final, February 1994 (Vol. 1-4) |
| Revised Feasibility Study Report for Silos 1&2, Revision 0, March 2000 (Vol. 1-4) |
| Revised Focused Feasibility Study / Proposed Plan for Operable Unit 4 Silo 3 Remedial Action Revision 0, August 2002 |

| |
|---|
| Record of Decision for Remedial Actions at Operable Unit 4, Final, November 1994 |
| Final Record of Decision Amendment for Operable Unit 4 Silos 1&2 Remedial Action, Revision 0, June 2000 |
| Final Record of Decision Amendment for Operable Unit 4 Silo 3 Remedial Action, Revision 0, August 2003 |
| Final Explanation of Significant Differences for Operable Unit 4 Silo 3 Remedial Action, January 1998 (actually signed by USEPA in March 1998) |
| Final Explanation of Significant Differences for Operable Unit 4 Silos 1&2 Remedial Action, October 2003 |
| Operable Unit 4 Final Remedial Action Report, TBD |
| **Operable Unit 5** |
| Remedial Investigation Report for Operable Unit 5, Final, March 1995 (Vol. 1-18) (Note: only Volume 1 was actually re-issued in March 1995; the remainder of the volumes from October 1994 were issued with new cover pages only.) |
| Feasibility Study Report for Operable Unit 5, Final, June 1995 (Vol. 1-3) |
| Final Record of Decision for Remedial Actions at Operable Unit 5, January 1996 |
| Final Explanation of Significant Differences for Operable Unit 5, October 2001 |
| Interim Remedial Action Report(s), TBD |

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## SECTION A.3 – ENGINEERED CONTROLS

All engineered controls required to support legacy management activities will be in place and ready for use at physical completion. For example, fencing around the OSDF and postings on the site perimeter outlining site restrictions will be in place. All facilities will be locked and secure to prevent unauthorized access and use. Maps showing the Engineered Controls for the FCP are included in the Legacy Management and Institutional Controls Plan (LMICP).

In addition, as there are operational components at the FCP during legacy management (ODSF leachate management and operating the groundwater remedy) the necessary post physical completion operations and maintenance (O&M) activities will be identified and in place. In general, Fluor Fernald's obligations for O&M is to have an acceptable program in place that can be used, modified, or replaced by DOE or their legacy management contractor. Comprehensive documentation of engineering controls will be considered adequate for the purposes of transfer into legacy management upon DOE's verification that the following exist:

**Responsibility Assignment Matrix (RAM) for Engineering Controls Readiness Analysis**

| Activity | Responsibility | Comments |
|---|---|---|
| Engineered Controls required for the FCP will be outlined in the Comprehensive Legacy Management and Institutional Control Plan (LMICP) for the FCP | Fluor Fernald will identify and install the infrastructure required<br><br>DOE accept LMICP | In the event that there is any delay in the transfer to legacy management that results from actions or inactions by DOE, the Agencies, other stakeholders that results in any impact to Fluor Fernald's incentive fee, Fluor Fernald shall be entitled to an equitable adjustment to the cost and schedule incentive fee provisions of the contract unless the delay results form the fault or negligence of Fluor Fernald. |
| Fencing and signs around OSDF are in place | Fluor Fernald will install the infrastructure required | Fluor Fernald will install the controls as depicted in the LMICP unless directed otherwise by DOE. |
| Access gates with locks around OSDF | Fluor Fernald will install the infrastructure required | Fluor Fernald will install the controls as depicted in the LMICP unless directed otherwise by DOE. |
| Guard posts, fencing, and rail around extraction/injection as currently exists | Fluor Fernald will install the infrastructure required | Fluor Fernald will install the controls as depicted in the LMICP unless directed otherwise by DOE. |
| Fence around restricted areas (security or access restrictions) of the FCP (e.g., CAWWT) are in place | Fluor Fernald will install the infrastructure required | Fluor Fernald will install the controls as depicted in the LMICP unless directed otherwise by DOE. |
| Gates with locks at access points into FCP are in place | Fluor Fernald will install the infrastructure required | Fluor Fernald will install the controls as depicted in the LMICP unless directed otherwise by DOE. |
| Locks on site facilities and structures are in place | Fluor Fernald will install the infrastructure required | Fluor Fernald will install the controls as depicted in the LMICP unless directed otherwise by DOE. |
| All required keys to facilities will be made available to DOE or their contractor at DOE's direction | Fluor Fernald will provide all required keys (facilities, gates, vehicles, etc) | |

| Activity | Responsibility | Comments |
|---|---|---|
| Access barriers as appropriate into sensitive portions of the FCP (e.g., Paddys Run, Wetlands) are in place | Fluor Fernald will install the infrastructure required | Fluor Fernald will install the controls as depicted in the LMICP unless directed otherwise by DOE. |
| O&M requirements for the OSDF are identified in the OSDF Post Closure Care and Inspection Plan . This plan will define the required surveillance monitoring, facility inspections, custodial maintenance and repair. | Fluor Fernald will prepare the document. DOE will review and accept | See comment on LMICP above.<br>The OSDF Post Closure Care and Inspection Plan is an attachment to the LMICP. |
| OSDF Leachate management requirements are identified in the Groundwater/Leak Detection and Leachate Monitoring Plan. This plan defines the leak detection monitoring and data evaluation and trend analysis for performance of the individual cells. This document also identifies the monitoring requirements of the leachate and its treatment requirements. | Fluor Fernald will prepare the document. DOE will review and accept | See comment on LMICP above.<br>The Groundwater/Leak Detection and Leachate Monitoring Plan is an attachment to the LMICP. |
| O&M requirements for the ground water remedy are identified in the Operations and Maintenance Master Plan for the Aquifer Restoration and Wastewater Project. This document will specify training requirement, standard operating procedures, and process control sampling. | Fluor Fernald will prepare the document. DOE will review and accept | See comment on LMICP above.<br>The Operations and Maintenance Master Plan is an attachment to the LMICP. |
| Red-line drawings of the CAWWT Facility are available | Fluor Fernald will make available these drawings | |
| Currently generated process control data and environmental data will be made available to demonstrate acceptable performance | Fluor Fernald will make available these data | |
| Red-line drawings of the OSDF are available including as-built drawings of the leachate conveyance and transmission systems | Fluor Fernald will make available these drawings | Preparation of the last annual Construction Quality Assurance Final Reports. These reports are prepared annually to document the previous years OSDF construction activity in a comprehensive manner. Agency approval of this document will not be required as this would be inconsistent with the intent of the fourth bullet of the contractual end state definition. (Contract Section C.1.2) |
| Verification of OSDF liner leakage rate below the required 200 gallons/acre/day for each cell will be made. | Fluor Fernald will make available these calculations | |
| Emergency planning and coordination with off-site emergency services will be identified and documented | Fluor Fernald will make available the latest revision of PL-3020, FCP Emergency Plan. | It is assumed that the existing relationships for emergency response will be maintained by DOE. |

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# SECTION A.4 – FINANCIAL AND HUMAN RESOURCES

"Financial and Human Resources" is the 4th of the nine dimensional elements identified by DOE for the legacy management transfer readiness analysis, as prescribed in Section C.3.7 of the contract. For readiness analysis purposes, the criteria for "Financial and Human Resources" are defined in this CE/T Plan as the answers to the following:

- What are the categories of ongoing/routine physical operations that will need to continue at the Fernald site after DOE accepts Fluor Fernald's declaration that the FCP has been physically completed?
- How many, and what type, of human resources are needed to continue with the ongoing/routine operations identified?
- What are the financial requirements, by year, to continue with the ongoing/routine operations?
- And finally, how many years will the ongoing/routine operations need to continue during the legacy management phase?

Fluor Fernald's readiness obligation under the "Financial and Human Resources" category is to provide a representative planning estimate -- based on past history and regulatory requirements-- of the types of resources and financial outlays that will be necessary during the legacy management period, so that DOE can properly plan for, procure, and budget for these resources. It is the responsibility of DOE to procure the resources and provide the financial capital to meet these needs, so that operations can continue uninterrupted beyond the date of physical completion of the FCP.

As an option to meet the human resource needs for ongoing operations that continue beyond the date of physical completion of the FCP, DOE could suggest to the DOE-LM contractor that they offer employment to existing members of the Fernald work force. Fluor Fernald will continue to maintain trained and qualified personnel at requisite staffing levels up to the date that Fluor Fernald declares the FCP to be physically complete (and subsequently accepted as reasonable by DOE). However, Fluor Fernald will need notification from DOE at least 3 months prior to the baseline closure date as to whether the DOE-LM contractor for ongoing operations may be offering positions of employment to existing resources with Fluor Fernald, so that proper employee preparations (such as annual personnel training updates or refreshers, as needed) and employee notifications can be made.

Note that it is not within the scope of Fluor Fernald's contract to continue with ongoing operations beyond the date of physical completion of the FCP, nor is it Fluor Fernald's responsibility to procure and train the requisite human resources for the DOE-LM contractor. Fluor Fernald's obligation is to continue to maintain the availability of personnel for ongoing operations with existing Fluor Fernald resources that will be engaged in operational and accompanying support activities up to the acceptance date. While Fluor Fernald maintains that it is not its responsibility to procure and/or train DOE-LM contractors, it is willing to support DOE-LM on requested training subject to two conditions: 1) Fluor Fernald will support any requested training with otherwise planned staffing levels; and 2) completing such support will not be a criterion for Fluor Fernald's Declaration of Physical Completion. The type of training currently contemplated by Fluor Fernald is "on the job" type training and not formal classroom instruction. Fluor Fernald is willing to consider providing other training at the request of DOE under appropriate contractual arrangements.

If DOE elects to bring in new DOE-LM resources for continuing operations beyond the date of the declaration and acceptance that the FCP has been physically completed, rather than continue with trained and qualified Fluor Fernald operations personnel, Fluor Fernald is willing to assist subject to the conditions identified above. The Responsibility Assignment Matrix provided below identifies the readiness activities and responsibilities for the Financial and Human Resources element. The two tables that follow the Matrix identify the ongoing operational activities, staffing levels and types needed for each activity, and financial outlays by year expected for the legacy management physical activities.

**Responsibility Assignment Matrix (RAM) for Financial And Human Resources Readiness Analysis**

| Activity | Responsibility | Comments |
|---|---|---|
| Determine the plan for financial and human resources post physical completion of the FCP | DOE | Plan to define how support will be provided post physical completion of the FCP |
| Identify the minimum levels and categories of human resource needs required to continue with ongoing/routine operations during the legacy management period. | Fluor Fernald | Resource needs are described in the cost estimate provided in the January 2005 submission to DOE |
| Based on historical experience, identify the financial requirements, by year, to continue with ongoing/routine operations. | Fluor Fernald | Included in the Table A.4-2 - Legacy Management – Cost Estimate Summary attached to this section. The financial requirements estimate addresses the technical work scope only; for example, it assumes no funding for regulatory (Ohio EPA) oversight. The information provided in this table is a summary of the cost estimate previously submitted to DOE in January 2005 |
| Identify, based on regulatory requirements and/or groundwater restoration requirements, the numbers of years the ongoing/routine operations need to continue. | Fluor Fernald | Included in the Table Legacy Management – Cost Estimate Summary attached to this section.<br><br>The duration of OSDF operations and maintenance and site surveillance and maintenance are tied to the 30 year post-closure care period required by the Operable Unit 2 and 5 CERCLA ROD ARARs; the duration of groundwater restoration operations (well field operations, monitoring, and groundwater treatment) are tied to the durations identified in the Groundwater Strategy Report deliverable required by the contract. This report has been accepted by DOE as a contract required deliverable. |
| Development of PBS-13 and PBS-14 plans and estimates (covers work scope and associated liabilities beyond physical completion of the FCP). | Fluor Fernald | Addressed in Section B.2 of this plan, under PBS-13 and PBS-14. |

| Activity | Responsibility | Comments |
|---|---|---|
| Identify the existing outside contracts that would be advantageous to DOE to continue with to support ongoing/routine legacy management operations. | Fluor Fernald | Because of the ongoing outsourcing opportunities being pursued and the likelihood of new outside contracts being implemented to support outsourcing, the master listing of Fluor Fernald's outside contracts to be considered for legacy management purposes will be identified for DOE in the required update to this CE/T Plan. (Specifically addressed in the Task Transfer Tools)<br><br>Contracts for consideration will include, at a minimum: laboratory services, ion exchange resins for the water treatment plant, and waste disposal services for wastes produced from ongoing water treatment.<br><br>DOE will determine the appropriate path forward on the Fluor Fernald service contracts by June 30, 2005 required to support ongoing legacy management operations. |

## Table A.4-2 - Legacy Management Cost Estimate Summary

*(Estimate is subject to change as transition/transfer planning progresses)*

| Time Period | Surveillance and Maintenance | Aquifer Restoration Management, Environmental Monitoring, Compliance, and Reporting | CAWWT, Well Field Operations, and OSDF Leachate Transmission System | Overhead and Project Support | Total |
|---|---|---|---|---|---|
| April '06 – September '06 | $724,236 | $2,661,650 | $1,834,603 | $1,427,884 | $6,648,373.00 |
| October '06 – September '07 | $774,266 | $3,808,710 | $3,895,180 | $2,576,498 | $11,054,654.00 |
| October '07 – September '08 | $809,075 | $3,590,964 | $4,134,988 | $2,730,203 | $11,265,230.00 |
| October '08 – September '09 | $845,673 | $3,716,548 | $4,489,758 | $2,896,637 | $11,948,616.00 |
| October '09 – September '10 | $884,160 | $3,820,533 | $4,659,970 | $3,027,487 | $12,392,150.00 |
| October '10 – September '11 | $924,548 | $4,771,514 | $4,946,896 | $3,182,116 | $13,825,074.00 |
| October '11 – September '12 | $967,058 | $4,297,735 | $8,162,503 | $3,373,810 | $16,801,106.00 |
| Total | $5,929,016.00 | $26,667,654.00 | $32,123,898.00 | $19,214,635.00 | $83,935,203.00 |

## SECTION A.5 – INFORMATION MANAGEMENT

"Information Management" is the 5th of the nine dimensional elements identified by DOE for the legacy management transfer readiness analysis, as described in Section C.3.7 of the contract. For readiness analysis purposes, the criteria for "Information Management" are defined in this CE/T Plan as the following:

- Identification of the existing electronic data, systems, and information that will be necessary to the ongoing legacy management mission.
- Transfer of the electronic databases and systems that will remain active during the legacy management period to the DOE-LM contractor. (Note that the DOE-LM contractor will need to evaluate the existing systems, and either take them over as is, or modify/replace at their cost.)
- "Sunsetting" and archiving the electronic databases and systems that are not necessary to the ongoing legacy management mission, and which will not be a part of the transfer activity.
- As part of this sunsetting, Fluor Fernald will also identify the information management systems (e.g., project management) needed by Fluor Fernald to support the Contract Closeout activity, which occurs after the date of physical completion of the FCP.

Fluor Fernald's readiness obligation under the "Information Management" category is to provide the necessary systems, data, and information to the DOE-LM contractor in a manner that will support the legacy management mission, and sunset the remaining non-critical systems, or transfer them to the Contract Closeout activity as appropriate. It is DOE's responsibility to make available the DOE-LM contractor personnel in a timely manner for transitioning so that operations can continue uninterrupted beyond the date of physical completion of the FCP. As an option to meet the information management needs for ongoing operations that continue beyond the date of physical completion of the FCP, DOE could suggest to the DOE-LM contractor that they offer employment to existing resources from Fluor Fernald (or appropriate outsourcing subcontractors performing work for Fluor Fernald). Fluor Fernald will continue to maintain the availability of trained and qualified personnel at requisite staffing levels up to the date of physical completion of the FCP.

Note that it is not within the current scope of Fluor Fernald's contract to continue with ongoing information management activities beyond the date DOE accepts as reasonable Fluor Fernald's declaration that the FCP has been physically completed, except for those conducted as part of Contract Closeout, nor is it Fluor Fernald's responsibility to procure and train the requisite human resources for the DOE-LM contractor. Fluor Fernald's obligation is to continue to maintain the availability of personnel for ongoing operations that will be engaged in operational activities up to the acceptance date.

The Responsibility Assignment Matrix provided below identifies the readiness activities and responsibilities for the Information Management element. The Task Transfer Tool for Information Management, included in the appendix, identifies the current Information Management systems that will be transferred in support of the readiness analysis preparations.

1 **Responsibility Assignment Matrix (RAM) for Information Management Readiness Analysis**

| Activity | Responsibility | Comments |
|---|---|---|
| Identification of the electronic data, systems, and information that will be necessary to the legacy management mission, and the configuration of the systems at transfer. | Fluor Fernald – prepare.<br><br>DOE – review and accept. | Formal discussion of the scope, type, and configuration of the systems expected to be transitioned will continue as part of the ongoing site visits being conducted by DOE. (Specifically addressed in the Task Transfer Tools) |
| Technical support for training by the DOE-LM contractor of its personnel in the systems and databases that will remain active for legacy management activities. | Fluor Fernald – technical support.<br><br>DOE – Secure qualified personnel by January 1, 2006 to facilitate transition. | Training support will be provided consistent with the understanding provided in the Introduction to Section A of this CE/T Plan. |
| "Sunsetting" and archiving of the electronic databases, systems, and information, that are not necessary to the legacy management mission and which will not be formally transitioned to the DOE-LM contractor. | Fluor Fernald | Included as part of records management/formal archiving; will continue as part of Contract Closeout phase. |

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## SECTION A.6 – INSTITUTIONAL CONTROLS

"Institutional Controls" is the 6th of the nine dimensional elements identified by DOE for the legacy management transfer readiness analysis, as described in Section C.3.7 of the contract. For readiness analysis purposes, the criteria for "Institutional Controls" are defined in this CE/T Plan as the following:

- DOE accepts the Fernald Comprehensive Legacy Management and Institutional Controls Plan (LMICP).
- Implementation and installation of the Institutional Controls specified in the LMICP.
- Acceptance by DOE that the specified Institutional Controls are in place (as part of the interim Remedial Action report prepared for Operable Unit 5).

Fluor Fernald's readiness obligation under the "Institutional Controls" category is to develop the aforementioned CERCLA-required plan. Fluor Fernald is also responsible for installing the accompanying physical infrastructure required by the plan (e.g., signs and postings) and conducting any plan-required inspections, monitoring, and maintenance prior to Fluor Fernald's declaration that the FCP has been physically completed (and subsequent acceptance as reasonable by DOE). After the acceptance date, DOE (and its legacy management contractor) will need to continue with these activities as part of the legacy management mission. As the site owner, DOE will also be responsible for entering into any legal agreements/instruments required by the approved plan.

The Responsibility Assignment Matrix provided below identifies the readiness activities and responsibilities for the Institutional Controls element.

**Responsibility Assignment Matrix (RAM) for Institutional Controls Readiness Analysis**

| Activity | Responsibility | Comments |
|---|---|---|
| Development and DOE acceptance of the Comprehensive Legacy Management and Institutional Controls Plan (required CERCLA deliverable under Operable Unit 5). | Fluor Fernald to prepare the Comprehensive Legacy Management & Institutional Controls Plan. DOE to accept the plan. DOE to take the lead in resolving comments, if any, related to the January 31, 2006 revision. | The LMICP has been updated and resubmitted on April 15, 2005 after resolving regulatory comments from the July 2004 version of the LMICP. The April 15, 2005 submittal satisfies contractual requirements for DOE acceptance of the LMICP with the understanding that it will need to be revised (Target January 31, 2006) to accommodate any changes that occur before the end of the calendar year.<br>Supporting documents attached to the LMICP include the Operations and Maintenance Plan, the OSDF Post Closure Care and Inspection Plan, the Groundwater/Leak Detection and Leachate Monitoring Plan, and in the future, the Integrated Environmental Monitoring Plan.<br>Formal discussion of the scope, type, and configuration of the institutional controls will continue as part of the ongoing site visits being conducted by DOE. |

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| Activity | Responsibility | Comments |
|---|---|---|
| Installation of accompanying physical infrastructure specified in the plan. | Fluor Fernald | Installation will be verified during the declaration process (See Section C of this CE/T Plan.) Fluor Fernald will move forward with current plans relating to stewardship infrastructure installation as well as facility and property disposition based on the 4/15/2005 version of the LMICP. Fluor Fernald and DOE agree that the Silo's warehouse (without any remodeling), two double-wide trailers, one conference room trailer, and one restroom trailer will be left on-site for DOE use. Basic utilities, water and power, will be provided. The process for modifying the OU3 ROD must be started by May 1, 2005 to allow enough time to complete the modification without impacting the schedule for the Declaration of Physical Completion. |
| Entering into any required legal institutional controls/instruments. | DOE<br>(as site owner) | Necessary to gain DOE acceptance that all required institutional controls are in place. DOE acceptance will be a condition of readiness. |

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# SECTION A.7 – REGULATORY REQUIREMENTS

"Regulatory Requirements" is the 7th of the nine dimensional elements identified by DOE for the legacy management transfer readiness analysis, as described in Section C.3.7 of the contract. For readiness analysis purposes, the criteria for "Regulatory Requirements" are defined in this CE/T Plan as the following:

- Regulatory requirements for long-term care of the FCP
- Regulatory requirements associated with documenting remedial action status
- Regulatory requirements associated with continuing CERCLA obligations
- Regulatory requirements associated with general site operations

**Responsibility Assignment Matrix (RAM) for Regulatory Requirements Readiness Analysis**

| Activity | Responsibility | Comments |
|---|---|---|
| Regulatory requirements for long-term care of the FCP are identified and approved by the regulatory agencies | Fluor Fernald to prepare the Comprehensive Legacy Management & Institutional Controls Plan. DOE to accept the plan. | Regulatory requirements related to the long-term care and maintenance of the FCP will be identified in the Comprehensive Legacy Management And Institutional Control Plan (LMICP). The final LMICP will meet regulatory requirements pertaining to monitoring and long-term maintenance of the FCP. |
| Regulatory requirements associated with documenting remedial action status through Final Remedial Action Reports and Interim Remedial Action Report, as appropriate, are prepared and available. These reports are prepared in accordance with the strategy approved by USEPA and the associated Fact Sheet (Minor ROD Modifications) | Fluor Fernald responsible for preparation. DOE responsible for timely review and acceptance. | The individual reports and process by which they are submitted to DOE are further defined in Section C of the CE/T Plan. |
| All regulatory CERCLA related decision documents are approved and their location identified and accessible. The CERCLA reading room will contain all primary decision documents (RI/FS, RODs Proposed Plans) as well as all Remedial Action and Remedial Design documents. | DOE is to provide an appropriate facility in a timely manner.<br><br>Fluor Fernald will transfer required documents to the location identified by DOE. | CERCLA reading room is assumed to be located off-site. Fluor Fernald requests the locations be made available by June 2005. |
| The next CERCLA required five-year review will be prepared for DOE issuance to USEPA and OEPA by April 1, 2006 | Fluor Fernald to prepare based on the format used in preparing the initial document in April 2001. New guidance for the preparation of a five-year review will be consulted to ensure proper content and scope is appropriate. DOE responsible for timely review and acceptance | Agency review and approval of this document is beyond the scope of the contract. Fluor Fernald anticipates a draft document will be submitted to DOE by January 15, 2006. |

| Activity | Responsibility | Comments |
|---|---|---|
| The regulatory environment related to air, water, waste, and chemical management is identified and necessary programs are in place to ensure compliance with applicable regulations based on assumed site operations. | Fluor Fernald will identify and comply with the applicable environmental programs and regulations up to DOE's acceptance of Fluor Fernald's declaration that the FCP has been physically completed. At that time the responsibility for regulatory compliance is assumed by DOE or its legacy management contractor | The regulatory programs governing site operations are identified in Table A.7-1. Fluor Fernald has identified these regulatory programs based on assumptions of future site operations. DOE must evaluate regulatory programs based on changes in site operations from that assumed or changes in regulations subsequent to the physical completion of the FCP. |

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## Table A.7-1 – Regulatory Programs Post Physical Completion of the FCP

| Current Program | Driver | Current Activities | Specific Threshold below which Program Ends | Continuing DOE Obligations If Regulatory Program Continues |
|---|---|---|---|---|
| **Air Programs** | | | | |
| Freon removal/Stratospheric Ozone Protection | 40 CFR 82- "Protection of Stratospheric Ozone" | Regulatory requirements that pertain to the site are included in EP-0006- 'Refrigerant Management". The majority of activities onsite involved recovering or charging refrigerant in air conditioning units, vehicles, drinking fountains, etc. and getting rid of refrigerant no longer needed onsite. | The Program will end when no refrigeration units are left onsite. | After cleanup is completed at the FCP, outside services could handle any remaining refrigeration units left onsite, which will probably include several air conditioning units and vehicles. |
| Fleet AIM Inspection reporting | 1990 Clean Air Act Amendments and Ohio Revised Code 3704.14 | The entire inventory of vehicles onsite (both exempted and non-exempted from emission testing) is sent to the EPA every odd year. The vehicles that are not exempt from the emission testing must pass the emission test before they can be driven on public roadways. These vehicles are tested every odd year. | No vehicles are left onsite. | Every odd year, the remaining inventory of onsite vehicles will need to be sent to the EPA and non-exempt vehicles will need to be emission tested. |
| Fugitive Dust Program | OAC 3745-31-05(A)(3) | Implementation of RM-0047 | The FD BAT applies so long as there are fugitive sources | If the site still has fugitive sources, the requirements included in RM-0047 will still need to be implemented. |
| NESHAP evaluations and Subpart H Annual Report | 40 CFR 61 Subpart H | Presently only new sources are modeled to determine monitoring requirements | Once Silos 1 and 2 have been completed, an evaluation of the potential emissions from the residual activities can be made and a position offered that the FCP will no longer be a NESHAP source | |

| Current Program | Driver | Current Activities | Specific Threshold below which Program Ends | Continuing DOE Obligations If Regulatory Program Continues |
|---|---|---|---|---|
| Annual Emission report to HCDES | OAC 3745-15 | As requested by HCDES, usually annually in the February-March time frame. | No Threshold limit. Program ends when HCDES no longer wants the information. | If HCDES continues to request this information then someone will need to be assigned to complete the emission inventory. |
| Asbestos notifications & RM-0050 (asbestos program) | OAC 3745-20 40 CFR 61 subpart M | Presently EC submits and tracks NOI's and all fees associated with asbestos notification program. | Notification of Intent to remove/renovate regulated asbestos is required when the amount of asbestos involved exceeds 160 sq ft or 260 linear ft, or: for any demolition an NOI is required even if no asbestos is present | The only remaining facilities subsequent to physical completion will be the groundwater and legacy management infrastructure. NOI's will need to be submitted prior to their demolition |
| Annual Ozone/NOX report | OAC 3745-20 | Not required at this time. However since the area has recently been reclassified as non-attainment these reports may again be required | NA | NA |
| Active PTO's | OAC 3745-35 | There is one source on registration, the boiler fuel oil storage tank. Since it's on registration it imposes no requirements on the site. | There will be no active PTO's after physical completion of the FCP. | Any new air source installed after physical completion of the FCP will need to be evaluated for air permitting (PTIs and PTOs). |
| **Water Programs** | | | | |
| National Pollutant Discharge Elimination System Permit | OAC-3745-33 | Treatment, reporting, and record keeping requirements under existing permit 11O00004*GD effective July 1, 2003 and expiring June 30, 2008 | Permitting must continue for discharges to the Great Miami River and storm water discharges to Paddys Run associated with industrial activity and/or construction activity as applicable per 40 CFR 122.21 | The permit and its conditions remain in effect |
| Spill Prevention Control & Countermeasures Plan | 40 CFR 112 | Implementation of PL-3083 | Above ground storage capacity of petroleum products less than 660 gallons | Fuel/petroleum storage will require secondary containment as a BMP. A prepared SPCC Plan will not be required based on projected storage capacity. |

| Current Program | Driver | Current Activities | Specific Threshold below which Program Ends | Continuing DOE Obligations If Regulatory Program Continues |
|---|---|---|---|---|
| Storm Water Pollution Prevention Plan | OAC-3745-33 | Erosion & Sediment Controls; inspections; etc. | Storm water is not regulated when it is NOT associated with industrial activity and is NOT associated with construction of 5 or more acres. (40 CFR 122.21) | Program will consist of obtaining specific general permits for necessary construction activity. Based on final GW treatment decisions, drainage basins will be evaluated for industrial activity. |
| Nationwide Permit Program for Wetlands | CWA Section 404 Dredge and Fill Permits and the associated 33 CFR Part 330, Appendix A Nationwide Permit Program | Activities, requiring Section 404 permits are limited to discharges of dredged or fill materials into the waters of the United States. | None | An evaluation of the activity impacting the FCP delineated wetlands must continue to be undertaken and the appropriate notification or permitting (usually under the Nationwide Permit Program) |
| ODNR Groundwater Withdrawal Registration and Report | ORC Section 1521.16 | The owner of a facility that has the capacity to withdraw more than 100,000 gallons of groundwater daily must register those facilities and report annually to the ODNR the amount of groundwater withdrawn. | 100,000 gallons for a facility or combination of facilities. The FCP will exceed this threshold for the foreseeable future. | Report needs to be submitted annually on ODNR forms to the ODNR by March 1 every year. |
| Wastewater Permits to Install | OAC 3745-35 | At physical completion of the FCP no wastewater PTI's will be in effect. | NA | Any new wastewater source installed after physical completion of the FCP will need to be evaluated for wastewater permitting (PTIs). |
| **Chemical Management Programs** | | | | |
| Annual Hazardous Chemical Report | SARA Title III Section 312 | Report submitted annually to LEPC, SERC, and local Fire Departments by March 1. | Not required if site has no inventory exceeding the threshold for any chemical for which an MSDS is required | Program will consist of obtaining inventory data from projects to compile annual report |
| Annual Toxic Release Inventory | SARA Title III Section 313 | Report submitted annually to EPA by July 1. | Not required if site has no inventory of designated chemicals in excess of 10,000 #. (Or extremely hazardous chemicals at their respective thresholds which vary by chemical) | Program will consist of obtaining inventory and release data from projects to compile annual report |

| Current Program | Driver | Current Activities | Specific Threshold below which Program Ends | Continuing DOE Obligations If Regulatory Program Continues |
|---|---|---|---|---|
| Release Reporting | SARA Title III Section 304 | Spill/release evaluation and reporting of exceedances of RQs for CERCLA hazardous substances. Reports to DOE, EPA, and local agencies. | Required as long as there is potential for release of CERCLA hazardous substance at the site. | Site must have capability to evaluate spills/releases for potential RQ exceedance. |
| **Solid & Hazardous Waste Programs** | | | | |
| RCRA Annual Report | OAC 3745-52-41, 3745-65-75 | Report submitted annually to Ohio EPA – due March 1. | No longer required to be submitted following a calendar year in which 1) the FCP did not have any hazardous waste in storage for greater than 90 days after generation and 2) operated for the entire CY as a small quantity generator. The requirements and associated definitions for a SQG are generally found in OAC 3745-51-05 and OAC 3745-52-34. | An annual evaluation of wastes stored needs to be conducted to demonstrate these conditions apply to FCP. |
| RCRA Part A and B Application Revisions | June 1996 Director's Findings and Orders | Part B Update submitted annually to Ohio EPA (recently changed annual submittal date to 1/31) – this updates information on the active sections of the Part B; additional updates submitted as required if there are major modifications to hazardous waste storage facilities/processes | Likely no longer required when FCP determines that it will no longer need the capability to store hazardous waste on-site for greater than 90 days after generation (assume this is so based on initial discussions with Ohio EPA – however, some sections are also used to meet SACD requirements which do not have a stated end point). | An annual evaluation of wastes stored needs to be conducted to demonstrate these conditions apply to FCP. |

| Current Program | Driver | Current Activities | Specific Threshold below which Program Ends | Continuing DOE Obligations If Regulatory Program Continues |
|---|---|---|---|---|
| TSCA PCB Annual Report | 40 CFR 761.180 | Report submitted annually to DOE-FCP (due July 1st) | No longer required to be prepared following a calendar year in which the FCP did not use or store PCBs above certain threshold quantities. Facilities are required to prepare an Annual PCB Document Log if they use or store at any one time at least 45 kg. (94 lbs.) of PCBs contained in PCB container(s), or have one or more PCB transformers, or 50 or more PCB Large High or Low Voltage Capacitors. | An annual evaluation of wastes stored needs to be conducted to demonstrate these conditions apply to FCP. |
| FFCA Site Treatment Plan Annual Update | October 1995 Director's Findings and Orders | STP Update submitted annually to Ohio EPA (due 12/31) | No longer required when FCP is able to comply with the LDR storage prohibition (i.e. "covered" mixed waste stored on-site for less than one year). | An annual evaluation of wastes stored needs to be conducted to demonstrate these conditions apply to FCP. |

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## SECTION A.8 – PUBLIC OUTREACH

"Public Outreach" is the 8th of the nine dimensional elements identified by DOE for the legacy management transfer readiness analysis, as prescribed in Section C.3.7 of the contract. For readiness analysis purposes, the criteria for "Public Outreach" is defined in this CE/T Plan as the following:

- Availability of a list of stakeholders with associated address information, and an identified process for updating the list.
- Annual updates to the administrative record are made, and a final update occurs prior to Fluor Fernald's declaration that the FCP has been physically completed.
- On-site information repository is made available to interested parties, including the annual updates to the administrative record.
- Existing community involvement tools are identified.
- Costs associated with public involvement have been estimated.

Fluor Fernald's readiness obligations under the "Public Outreach" category are to 1) develop the list of stakeholders, with associated address information; 2) identify the process for updating the list of stakeholders, along with the existing community involvement tools; 3) provide Fluor Fernald's last annual update to the administrative record following the completion of 2005's remedial activities (note that all other annual updates would be performed as a legacy management activity by DOE-LM and/or the DOE-LM contractor); 4) identify the costs associated with public involvement as anticipated during the legacy management phase; and 5) perform a walk down with DOE of the Public Environmental Information Center (PEIC) as part of the preliminary declaration process to verify that the PEIC is ready for transitioning to the DOE-LM contractor for operation. After DOE accepts Fluor Fernald's declaration that the FCP has been physically completed, DOE (and its legacy management contractor) will be responsible for continued operation of the PEIC, and the annual updates/stakeholder involvement activities that accompany the legacy management phase. Fluor Fernald recognizes that DOE may elect to transfer such operations and activities to the DOE-LM contractor ahead of the date of physical completion of the FCP, at their prerogative.

The Responsibility Assignment Matrix provided below identifies the readiness activities and responsibilities for the Public Outreach element.

## Responsibility Assignment Matrix (RAM) for Public Outreach Readiness Analysis

| Activity | Responsibility | Comments |
|---|---|---|
| Development of the list of stakeholders and associated address information; identification of the process for updating this list; identification of existing community involvement tools. | Fluor Fernald – Draft<br>DOE – Approve | The lists and updating process will be a separate deliverable for DOE review and approval. |
| Final update to the administrative record prior to Fluor Fernald's declaration that the FCP has been physically completed. | Fluor Fernald | This will occur in early FY 06 |
| Identification of the costs associated with ongoing public outreach activities during the legacy management phase. | Fluor Fernald | The cost analysis will be furnished to DOE as part of the deliverable identifying the final list of stakeholders described above. |
| Placement of the PEIC into its final configuration for transfer to legacy management. | Fluor Fernald – prepare PEIC for transfer to legacy management.<br><br>DOE – approval that PEIC is ready for use. | Formal discussion of the scope and configuration of the PEIC will continue as part of the ongoing site visits being conducted by DOE. |

# SECTION A.9 – NATURAL/CULTURAL/HISTORICAL RESOURCES

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"Natural/Cultural/Historical Resources" is the 9th and final of the nine dimensional elements identified by DOE for the legacy management transfer readiness analysis, as prescribed in Section C.3.7 of the contract. For readiness analysis purposes, the criteria for "Natural/Cultural/Historical Resources" is defined in this CE/T Plan as the following:

- Demonstration that the site has been restored per the requirements of the January 2002 NRRP.
- Demonstration that locations and characteristics of natural and cultural resources, needing long-term surveillance and maintenance, have been identified and a management system is in place and operating successfully to ensure their protection.

Fluor Fernald's readiness obligations under the "Natural/Cultural/Historical Resources" category are to 1) complete the physical natural resource restoration activities in accordance with the January 2002 Draft Final of the Fernald Natural Resource Restoration Plan; 2) conduct the attendant natural resource maintenance and monitoring activities in restored areas through calendar year 2005 (date established during ongoing discussions with DOE-LM and is subject to change), at which point ongoing monitoring activities (e.g., wetlands) will be transferred to DOE-LM and a Final Restored Area Monitoring Report will be issued to close out completed monitoring and maintenance work (Note: this final report, like previous versions of the report, is issued for documentation purposes and is not subject to formal EPA approval); 3) completion of any outstanding cultural/archaeological investigations and unexpected cultural resource discovery reports accompanying ongoing remediation in accordance with the 1996 Programmatic Agreement among the Advisory Council on Historic Preservation, the Ohio Historical Preservation Office, and DOE-Fernald (which dictates how Fernald archaeological investigations are completed); 4) preparation of the final annual report to the Ohio Historic Preservation Office detailing all archaeological investigations, Phase I investigations, Phase 2 evaluative testing, and Phase 3 data recovery projects. (The final report covering calendar year 2005 will be filed in early 2006); 5) sending in a letter to the Advisory Council on Historic Preservation and the Ohio Historical Preservation Office to close out the 1996 Programmatic Agreement; 6) assisting in the transfer of responsibility for protection of cultural resources to the ultimate site steward identified by DOE; and 7) transfer of the archaeological inventory for the Fernald site as part of the records management process, to be completed prior to the date of physical completion of the FCP. Note that with the exception of the physical work attached to items 1 through 3 above, none of the other administrative transfer activities in the seven items above are tied to Fluor Fernald's declaration that the FCP has been physically completed.

After DOE accepts Fluor Fernald's declaration that the FCP has been physically completed, DOE (and its legacy management contractor) will be responsible for continued compliance with all aspects of the National Historic Preservation Act, for example to protect sites from looting and natural disturbances. DOE will also need to maintain curation records during the legacy management phase to support any claims filed in the future for remains and funerary objects re-interred at the Fernald site. DOE will also be responsible for the final dispositioning of the approximately 1500 square feet of Cold War artifacts that have been assembled for the Fernald site assistance from Fluor Fernald in the dispostioning of these artifacts can be made available during the Contract Closeout phase if requested by the DOE Contracting Officer.

There are sensitive natural resources on the Fernald Site that will require ongoing protection during the legacy management phase. The Federally endangered Indiana Bat has been found in the northern reaches of Paddys Run. In the same portion of Paddys Run, a well-established population of the state threatened Sloan's Crayfish resides. This portion of Paddys Run will continues to need to be protected during the legacy management phase to ensure impact to these species does not occur. In addition, there are numerous wetland areas on site and more will be established prior to site physical completion. Wetland areas are protected under the Clean Water Act. The LMICP identifies sensitive natural resources that will require ongoing protection. The plan for regular inspection of the resources discussed above to ensure impacts do not occur is also discussed in the LMICP.

The Responsibility Assignment Matrix provided below identifies the readiness activities and responsibilities for the Natural/Cultural/Historical Resources element.

**Responsibility Assignment Matrix (RAM) for Natural/Cultural/Historical Resources Readiness Analysis**

| Activity | Responsibility | Comments |
|---|---|---|
| Complete natural resource restoration activities in accordance with the January 2002 Draft Final of the Natural Resource Restoration Plan. | Fluor Fernald – perform work.<br>DOE – accept as part of declaration process. | Physical work must be completed and verified as part of the process for preliminary declaration of work completion or the eventual declaration that the FCP has been physically completed. |
| Performance of natural resource maintenance and monitoring activities in restored areas through calendar year 2005 (date established during ongoing discussions with DOE and is subject to change) at which point a Final Restored Area Monitoring Report will be issued to close out the monitoring and maintenance work in restored areas completed by Fluor Fernald. | Fluor Fernald | The Final Restored Area Monitoring Report will occur in early 2006 (submitted to EPA for informational purposes). After DOE acceptance of Fluor Fernald's declaration that the FCP has been physically completed, all remaining maintenance and monitoring activities in restored areas will be the responsibility of DOE-LM contractor.<br><br>Restored Area Monitoring Reports have historically not been formally approved by EPA, but are submitted for documentation purposes. |
| Preparation of the final annual report to the Ohio Historic Preservation Office detailing all archaeological investigations, Phase I investigations, Phase 2 evaluative testing, and Phase 3 data recovery projects. | Fluor Fernald | The final report covering calendar year 2005 will be filed in early 2006. |
| Submit letter to the Advisory Council on Historic Preservation and the Ohio Historical Preservation Office to close out the 1996 Programmatic Agreement. | Fluor Fernald | The letter will be filed in early 2006. |

| Activity | Responsibility | Comments |
|---|---|---|
| Transfer of the archaeological inventory and Cold War artifacts inventory for the Fernald site as part of the records management transfer process, to be completed prior to physical completion of the FCP. | Fluor Fernald | Cold War artifacts cover approximately 1500 square feet of storage space and are currently stored in the basement of the Springdale Office Building. DOE will need to determine by January 31, 2005 if the Cold War Artifacts will need to be transferred to a new location prior to physical completion of the FCP.<br><br>All historic and prehistoric artifacts resulting from cultural resource surveys at the Fernald Site are currently stored in 44 boxes on the second floor of the Uno Building. These artifacts will be transferred to a storage location by the end of calendar year 2004, consistent with the applicable regulatory requirements. DOE will be consulted regarding the storage location prior to the transfer of the artifacts. Once the historic and prehistoric artifacts are transferred, they will remain in that storage location until physical completion. |
| Long term protection of cultural resources onsite (e.g., native American interment site) | DOE | |

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## SECTION A.10 – BUSINESS FUNCTION

The "Business Function" is the 10th and final of the dimensional elements addressed in the CE/T Plan. While it is not one of the dimensions defined in the contract, Fluor Fernald and DOE have agreed to include this dimension in the CE/T Plan and to use the contractually required Contract Closeout Plan to address the specific criteria contemplated by DOE-LM in their Site Transition Framework. The general scope of the contract closeout plan is defined in F.7 of the contract and in intended to provide a budget and schedule for addressing all remaining administrative matters necessary to close out the contract.

The Responsibility Assignment Matrix provided below identifies the readiness activities and responsibilities for the Business Function element.

**Responsibility Assignment Matrix (RAM) for the Business Function Readiness Analysis**

| Activity | Responsibility | Comments |
|---|---|---|
| Develop the Contract Closeout Plan Required under Section F.7 of the Fernald Closure Contract | Fluor Fernald to develop plan and make available to DOE by September 30, 2005 | |

# SECTION B – CONTRACT COMPLIANCE MATRIX

Section B of the CE/T Plan provides a comprehensive review of the statement of work Fluor Fernald is required to complete under the Fernald Closure Contract No. DE-AC24-01OH20115. Section B is divided into two subsections (B.1 and B.2) to distinguish those Statement of Work elements the completion of which is necessary in order for Fluor Fernald to successfully declare physical completion (i.e., linked to the Declaration of Site Closure as defined in Clause F.6) from those elements which are unrelated to physical completion that may or may not continue after the declaration and acceptance of physical completion.

The determination of what statement of work elements are related to physical completion is made based primarily on how those elements under evaluation relate to the end-state definition in Section C.1.2 of the contract. Section C.1.2 describes the FCP site at closure in terms of four distinct expectations that can be summarized as follows:

- All of the work required by the five approved Records of Decision (RODs) including approved changes. (Certain allowances and expectations specific to the ground water remedy are acknowledged.)
- Restoration of the site in accordance with the January 2002 Natural Resources Restoration Plan.
- The installation of the necessary infrastructure to support legacy management activities, and the development of the necessary plans that establish the specific legacy management activities required for the Fernald site. Additionally, there shall be a smooth transition of the site to the Contractor responsible for legacy management.
- All documentation required by the site RODs shall be submitted to and accepted by the Department of Energy (DOE) for submission to the cognizant regulatory agencies

The contract language also makes clear that it is physical work that must be completed to demonstrate a successful declaration that the FCP has been physically completed defined in Clause F.6 of the contract. (This was an explicit point of negotiation by Fluor Fernald during the discussions leading to Contract Modification No. 38.) This clause states that the contractor shall declare when the FCP has been physically completed as described in the statement of work and further states that the "actual completion date will be fixed as the date the Contractor declares the FCP as physically complete."

The portions of the defined statement of work that are administrative in nature (generally described in Section C.1.3 and elsewhere in the contract) serve to guide and direct the manner in which the physical work is to be performed and controlled. These administrative programs must be in place as the physical scope of work is performed and, therefore, cannot be terminated and closed until the physical scope has been completed.

In summary, the end state definition, the emphasis on physical completion in the Declaration of Site Closure, and the requirement that administrative programs remain in place through the execution of all field activities, all serve to establish the standard by which it is determined what part of the statement of work in Section C must be completed for a successful Declaration of Physical Completion in accordance with Clause F.6 of the contract.

The administrative scope of work will generally be closed and completed during the contract closeout phase. However, the administrative programs described in Section C of the contract will undergo a ramp-

down as physical completion approaches in an attempt to minimize the efforts of Fluor Fernald and DOE during contract closeout. These efforts are described in Fluor Fernald internal documents titled Going Out of Business Plans developed for each administrative functional area. However, the degree to which these administrative programs do indeed ramp down, or their respective completion, is not a part of the DOE evaluation to accept Fluor Fernald's declaration of physical completion. Clause F.7 of the contract requires a "Contract Closeout Plan" to be submitted concurrent with the declaration of physical completion letter required by Clause F.6. (Fluor Fernald has agreed to submit this plan early with a target date of September 2005. This is discussed in Section A.10 of this CE/T Plan.) This Contract Closeout Plan will address the activities and funding necessary to close administrative programs.

The matrices within Section B of the CE/T Plan evaluate each discrete statement of work identified in Section C of the contract. These matrices provide the actual work scope definition (verbatim from the contract), the definition of completion contemplated by the Record of Decision (or other document if performed under a different driver) under which the specific scope of work is being performed, the documents and records to be used to document completion of the specific scope of work, and an indication of what portion of the scope of work, if any, is transferred to legacy management or Contract Closeout.

Section B.1: Contract Compliance Matrix
Statement of Work Elements Related to the Declaration that the FCP Has Been Physically Completed

| MATRIX TABLE B.1-1 |
|---|
| Contract DE-AC24-01OH20115 – Section C Work Scope Definition:<br><br>C.1.2 End State<br><br>All of the work required by the five approved Records of Decision (RODs) including approved changes. In the event that groundwater remediation has not been achieved by December 31, 2006, or sooner if all other work is completed, the Contractor shall implement a groundwater remediation approach that results in the most cost effective infrastructure remaining at Site Closure and is consistent with the Comprehensive Groundwater Strategy (ref. Section J, Attachment 3). |
| Definition of completion:<br>Operable Unit 1: Completion of the work described in PBS-05, Waste Pits Remedial Action Project (certification of underlying soils will be reported under OU5 while the D&D of remediation facilities will be reported under OU3)<br>Operable Unit 2: Completion of the excavation of Southfield area, active fly ash pile, inactive fly ash pile, and solid waste land fill (certification of underlying will be reported under OU5)<br>Operable Unit 3: Completion of PBS-01, PBS-02, PBS-10, and PBS-11<br>Operable Unit 4: Completion of PBS-07 (certification of underlying soils will be reported under OU5 while the D&D of remediation facilities will be reported under OU3)<br>Operable Unit 5: Completion of soils activities under PBS-06 (except that associated with remaining groundwater infrastructure). Completion of engineering, construction, operations, and closure of the On-Site Disposal Facility under PBS-03. Groundwater extraction and treatment as defined in the selected alternative from the Comprehensive Groundwater Strategy as deliberated, negotiated, and agreed upon with the DOE, FCAB, and regulators. |
| Documents used to demonstrate completion:<br><br>Documentation of the completion of the above PBS activities is provided in the subsequent sections of this matrix.<br><br>The Final and Interim Remedial Action Reports and project related documents will follow the same form, format, and content standard of documents previously submitted and approved. |
| Activities transferred to the legacy management phase:<br><br>• Institutional controls and administrative controls referenced in the OU2, OU3, OU4 and OU5 RODs as approved in the Comprehensive Legacy Management & Institutional Controls Plan (LMICP)<br>• Long-term monitoring and maintenance of the OSDF as referenced in the OU3 and OU5 RODs (discussed in the LMICP)<br>• Operation of the groundwater remedy and associated treatment facility (discussed in the LMICP)<br>• Operation of the OSDF leachate management system and associated treatment (discussed in the LMICP) |
| Activities Continuing During Contract Closeout Phase:<br><br>None. |

Section B.1: Contract Compliance Matrix
Statement of Work Elements Related to the Declaration that the FCP Has Been Physically Completed

| MATRIX TABLE B.1-2 |
|---|
| Contract DE-AC24-01OH20115 – Section C Work Scope Definition:<br><br>C.1.2 End State<br><br>Restoration of the site in accordance with the January 2002 Draft of the Natural Resources Restoration Plan (NRRP). |
| Definition of completion:<br><br>Completion of the scope of the January 2002 NRRP. The NRRP is referenced in the contract and lays out the restoration requirements for the site at the conceptual level (e.g., proposed locations of wetlands, open water and prairie grass restoration). A Natural Resource Restoration Design Plan (NRRDP) will be developed for each area providing details such as grading plans, planting plans, etc. Each NRRDP will be approved by the DOE-Fernald Closure Project and issued to the Fernald Natural Resource Trustees (NRTs) and Agencies prior to project implementation. Completion of a final Restored Area Monitoring Report for calendar year 2005 will be developed and submitted to DOE-FCP in early 2006 and will complete Fluor Fernald monitoring requirements for restored areas at the FCP. NRRP reference is: U.S. Department of Energy, 2002, "Natural Resource Restoration Plan," Final, Fernald Environmental Management Project, DOE, Fernald Area Office, Cincinnati, Ohio. |
| Documents used to demonstrate completion<br><br>• Completion reports for the individual restoration projects (projects are identified in the attached table).<br>• Restored Area Monitoring Report for 2004<br>• Restored Area Monitoring Report for 2005 |
| Activities transferred to the legacy management phase:<br><br>• Follow-up monitoring in wetland mitigation projects to close out Clean Water Act requirements for mitigated wetlands on the FCP.<br>• Any monitoring and maintenance requirements in restored areas that are required by the NRDA Settlement.<br>• Maintaining compliance requirements for Wetlands, Threatened and Endangered Species and Archaeological Sites and Native American Burial Sites on the Fernald Site and in areas that may be impacted by Fernald Site activities.<br>• Control of noxious weeds in restored areas will be required as required by Ohio law.<br>• Routine inspection of restored areas to ensure that no trespassing or improper use of the site is occurring.<br>• Any additional work as a result of the NRDA settlement |
| Activities Continuing During Contract Closeout Phase:<br><br>None. |

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Section B.1: Contract Compliance Matrix
Statement of Work Elements Related to the Declaration that the FCP Has Been Physically Completed

**PBS-06: Natural Resource Restoration Plan - Restoration Field Work**

| Project | Field Work Completed |
|---|---|
| Aesthetic Barrier | October 1998 |
| Wetland Mitigation Phase I | May 2000 |
| Forest Demonstration | May 2001 |
| Southern Waste Units | May 2003 |
| Northern Pines | November 2003 |
| Wetland Mitigation Phase II | November 2004 |
| Paddys Run West | Target June 2005 |
| Borrow Area | Target December 2005 |
| Paddys Run East | Target June 2005 |
| Production Area | Target March 2006 |
| Waste Pits | Target December 2005 |
| Silos | Target March 2006 |
| OSDF Perimeter | Target March 2006 |

Section B.1: Contract Compliance Matrix
Statement of Work Elements Related to the Declaration that the FCP Has Been Physically Completed

| MATRIX TABLE B.1-3 |
|---|
| Contract DE-AC24-01OH20115 – Section C Work Scope Definition:<br><br>C.1.2 End State<br><br>Although this contract does not include post-closure Long Term Stewardship (LTS) activities, the Contractor shall install the infrastructure and develop the necessary plans that establish the specific Long Term Stewardship activities required for the Fernald site. Infrastructure consists of the facilities and equipment necessary for institutional controls and the long-term surveillance and maintenance of the remedy. Any Stewardship activities required prior to Closure shall be performed by the Contractor. The Contractor shall assure smooth transition of the site to the Contractor responsible for LTS. |
| Definition of completion:<br><br>• DOE acceptance of the Comprehensive Legacy Management & Institutional Controls Plan (LMICP)<br>• Installation of the required legacy management infrastructure as described in the LMICP |
| Documents used to demonstrate completion<br><br>• Comprehensive Legacy Management & Institutional Controls Plan<br>• As-built drawings of infrastructure as depicted in the LMICP<br>• FCP Comprehensive Exit/Transition Plan |
| Activities transferred to the legacy management phase:<br><br>• Maintaining institutional controls established for the site.<br>• Monitoring and reporting of environmental data per IEMP commitments<br>• Completing Aquifer Remediation and groundwater certification requirements.<br>• Continuing required groundwater monitoring program.<br>• Monitoring and managing leachate from the OSDF.<br>• Completing required surveillance and maintenance of the OSDF.<br>• Handling information requests related to legacy management and past site operations.<br>• Maintaining points of contact for Stakeholders and Regulators.<br>• Reporting requirements to Stakeholders and Regulators. |
| Activities Continuing During Contract Closeout Phase:<br><br>None. |

Section B.1: Contract Compliance Matrix
Statement of Work Elements Related to the Declaration that the FCP Has Been Physically Completed

| MATRIX TABLE B.1-4 |
|---|
| Contract DE-AC24-01OH20115 – Section C Work Scope Definition:<br><br>C.1.2 End State<br><br>All documentation required by the site RODs shall be submitted to and accepted by the Department of Energy (DOE) for submission to the cognizant regulatory agencies. The Comprehensive Exit/Transition Plan will define the process and plans necessary to meet this requirement. For the Declaration of Site Closure (Clause F.6), the time period associated with DOE and regulatory review and acceptance of the final ROD documentation, as described in the approved Comprehensive Exit/Transition Plan, will not be considered in the establishment of the Final Closure Date for fee determination purposes. In the event the ROD requirements for groundwater remediation are not complete, submission of final ROD documentation associated with the groundwater remediation work scope is not included as part of Site Closure. |
| Definition of completion:<br><br>Preparation and acceptance by DOE of the reports identified below prepared in accordance with the strategy and informational requirements discussed in Letter DOE-0013-04, dated October 16, 2003, approved by USEPA on January 15, 2004 and further described in the subsequent Fact Sheet presented in a Public Meeting of March 15, 2005. If DOE has not previously notified Fluor Fernald of their acceptance of these documents, transmission of these documents to the cognizant regulatory agency by DOE will satisfy the requirement for DOE acceptance of Fluor Fernald's submission. |
| Documents used to demonstrate completion<br><br>• Operable Unit 1 Final Remedial Action Report<br>• Operable Unit 2 Final Remedial Action Report<br>• Operable Unit 3 Final Remedial Action Report<br>• Operable Unit 4 Final Remedial Action Report<br>• Operable Unit 5 Interim Remedial Action Report (Consisting of three distinct sections: Soils Remediation, On-Site Disposal Facility, and Aquifer Restoration<br><br>The Final and Interim Remedial Action will follow the same form, format, and content standard of documents previously submitted. (See the following table for target schedules and review cycles). Other project related documents (e.g. soil certification reports) will follow the same form, format, and content as previously submitted and approved.<br><br>Certain reports are being submitted in advance of the actual work described in the report being completed. These reports will be appended as discrete portions of work are completed (e.g. soil remediation areas). Section C of this CE/T Plan describes this process. |
| Activities transferred to the legacy management phase:<br><br>Resolution of all comments outstanding as of the date of physical completion of the FCP. |
| Activities Continuing During Contract Closeout Phase:<br><br>None. |

Section B.1: Contract Compliance Matrix
Statement of Work Elements Related to the Declaration that the FCP Has Been Physically Completed

**Final and Interim Remedial Action Report Submittal and Review Schedule**

| Report | Initial Submission to DOE | Comments Received from DOE* | Revised Submission to DOE* | Formal Submittal to EPA |
|---|---|---|---|---|
| Operable Unit 1 Final Remedial Action Report | March 21, 2005 | TBD | TBD | Triggered by complete removal and disposal of waste pit contents – Target June 2005 |
| Operable Unit 2 Final Remedial Action Report | October 21, 2004 | December 15, 2004 | January 24, 2005 | Triggered by complete removal and disposal of SP-7 – Target September 2005 |
| Operable Unit 3 Final Remedial Action Report | March 23, 2005 | TBD | TBD | Triggered by completion of D&D of OU4 structures – Target March 31, 2006 |
| Operable Unit 4 Final Remedial Action Report | Target May 15, 2005 | TBD | TBD | Triggered by complete removal and disposition of silo material – Target January 2006 |
| Operable Unit 5 Interim Remedial Action Report, Section 1 - OSDF | January 31, 2005 | March 10, 2005 | TBD | Tiggered by completion of Cell 8 Cap – Target March 2006 |
| Operable Unit 5 Interim Remedial Action Report, Section 2 - Soils | March 14, 2005 | TBD | TBD | Triggered by completion and submission of Area 7 Soil Certification Report – Target February 2006 |
| Operable Unit 5 Interim Remedial Action Report, Section 3 – Aquifer Restoratioon OSDF | March 10, 2005 | TBD | TBD | Triggered by completion of CAWWT Phase 2 construction and/or installation of Waste Pit Wells Phase II – Target December 2005 |

* As of this writing, the actual submission of the reports and estimated time for the review cycle is being negotiated with USEPA. The table will be updated with actual dates in the September 2005 revision.

Section B.1: Contract Compliance Matrix
Statement of Work Elements Related to the Declaration that the FCP Has Been Physically Completed

| MATRIX TABLE B.1-5 |
|---|
| Contract DE-AC24-01OH20115 – Section C Work Scope Definition:<br><br>C.2.2 Facility Shutdown (PBS-01) and Facility Decontamination and Demolition (PBS-02)<br><br>The scope of this PBS-01 related to facilities shut down is that work necessary to make them ready for Decontamination and Demolition under Removal Action 12 – Safe Shutdown.<br><br>The scope of Facility Decontamination and Demolition (D&D) consists of all facilities and equipment (above the below-grade improvements), including structures, equipment, utilities, drums, tanks, solid waste, waste products, thorium, effluent lines, K-65 transfer line, wastewater treatment facilities and infrastructure, fire training facilities, scrap metal piles, feedstocks, and coal pile. All manmade facilities within the Fernald production area and non-production area are included in this OU. The OU-3 Record of Decision calls for the D&D of all above- and below-ground improvements, including buildings and support structures, to reduce any potential threat posed by these facilities. The general scope for each D&D project includes planning, design, procurement, field preparation, D&D, debris management and project close-out. The only exception to removal of all manmade structures would be the "most cost efficient infrastructure" (Ref C.1.2) necessary to implement continuing groundwater remediation, if required. (D&D of the remaining groundwater infrastructure has been moved from Operable Unit 3 to Operable Unit 5) |
| Definition of completion:<br><br>• Completion of activities described in Removal Action 12 – Safe Shutdown<br>• D&D of all structures with the exception of those facilities related to legacy management and DOE support, groundwater remediation and treatment, OSDF leachate management, and OSDF operations as shown on Site Plans 1, 2, and 3 (See Section A.2, Site Conditions, of this report)<br>• Completion of activities described in Removal Action 9 – Removal of Waste Inventories<br>• Completion of activities described in Removal Action 26 – Asbestos Removal |
| Documents used to demonstrate completion:<br><br>• Removal Action Work Plan for Removal Action 12<br>• Individual complex specific implementation plans and removal actions identified in the attached table D&D Complex – Document History in accordance with the OU3 Integrated Remedial design/Remedial Action Work Plan, May 1997.<br>•<br>• Removal Action Work Plan for Removal Action 26<br>• Submission to and acceptance by DOE of the Operable Unit 3 Final Remedial Action Report.<br><br>Note: Interim declaration checklists (further discussed in Section C) will be used to document completion of discrete portions of field-work and can be used as the basis for documenting a final demonstration of completion. |
| Activities transferred to the legacy management phase:<br><br>At the completion of the groundwater remedy, DOE will be responsible for the safe shutdown, decommissioning and dismantlement of all above ground structures related to the groundwater pump and treat operation. Following past examples, the legacy management contractor will be required to develop an implementation plan, identify the types and volumes of debris, and identify a disposition pathway for the debris. Example specifications used for past D&D activities will be included in the Operable Unit 5 Interim Remedial Action report for reference. (D&D of the remaining groundwater infrastructure has been moved from Operable Unit 3 to Operable Unit 5) |
| Activities Continuing During Contract Closeout Phase:<br><br>Decontamination of equipment may continue off-site up to 90 days after DOE acceptance of Fluor Fernald's Declaration of Physical Completion. Costs of the management of this contaminated equipment will be reimbursable and will be included within the total project costs used for fee determination purposes. Any costs associated with disposition of this contaminated equipment incurred more than 90 days after DOE acceptance of Fluor Fernald's Declaration of Physical Completion will not be reimbursable. Disposition of uncontaminated equipment/property that is not required for contract closeout or is not transferred to DOE for legacy management is expected to occur within 90 days of the Declaration of Physical Completion. The costs of the management of this uncontaminated property will be reimbursable as Contract Closeout costs. Fluor Fernald costs for disposition of records after the Declaration of Physical Completion will be reimbursable as Contract Closeout costs and will not be considered for fee determination purposes. It is expected that Fluor Fernald will complete disposition of all records within 180 days following DOE acceptance of Fluor Fernald's Declaration of Physical Completion except for those required to correct any deficiencies identified by DOE, to be used by DOE for legacy management, or to perform Contract Closeout activities. |

Section B.1: Contract Compliance Matrix
Statement of Work Elements Related to the Declaration that the FCP Has Been Physically Completed

**D&D Complex – Document History**

| Complex | Implementation Plan Submittal | Implementation Plan Approval | Closeout Report Submittal |
|---|---|---|---|
| Building 4A | 9/19/94 | 2/17/95 USEPA | 8/97 |
| Plant 1 Complex – Phase I | 11/3/95 | 2/28/96 USEPA | 8/97 |
| High & Low Nitrate Tanks | 2/20/96 | 6/28/96 USEPA | 3/24/97 |
| Boiler Plant/Water Plant | 9/12/96 | 1/15/97 USEPA | 2/1/99 |
| Thorium/Plant 9 Complex | 1/2/97 | 8/12/97 USEPA | 4/99 |
| Tank Farm/Maintenance Complex | 2/27/98 | 6/30/98 USEPA | 4/00 |
| Sewage Treatment Plant Complex | 3/2/98 | 9/11/98 USEPA | 10/98 |
| Plant 5 Complex | 1/25/99 | 3/11/99 USEPA | 5/1/02 |
| Plant 6/East Warehouse Complex | 4/30/99 | 9/3/99 USEPA | 9/11/02 (Closeout report submitted (Target July 2005) for the East Warehouse once Building 82A is demolished ) |
| Pilot Plant Complex | 5/24/01 | 7/16/01 USEPA | 9/14/04 |
| Multi-Complex* | 6/27/01 | 10/26/01 USEPA | 7/8/04 |
| Plant 1 Complex – Phase II | 6/19/02 | 10/4/02 USEPA | 11/5/03 |
| Administration Complex | 12/19/01 | 1/24/02 USEPA | Target July 2005 |
| Laboratory Complex | 4/18/02 | 7/26/02 USEPA | 5/19/04 |
| OU4 Complex – Silo 3 | 7/9/04 | 8/12/04 | Target November 2005 |
| OU4 Complex Components, Silo 2, Silo 1, and Silos 1&2 Bridges | 3/21/05 | Target April 2005 | Target August 2005 |
| OU4 Complex Silos 1&2 Remediation Facility | Target September 2005 | Target November 2005 | Target March 2006 |
| OU1 Complex | 7/3/04 | 1/6/05 USEPA | Target October 2005 |
| AWWT Facility | 3/24/05 | Target April 2005 | Target December 2005 |
| Miscellaneous Small Structures (MSS) | 4/30/98 | 9/10/98 USEPA | N/A see Task Orders (below) |
| MSS Task Order 384 | N/A | N/A | 10/6/98 |
| MSS Task Order 387 | N/A | N/A | 11/4/98 |
| MSS Task Order 405 | N/A | N/A | 2/1/99 |
| MSS Task Order 432 | | N/A | 10/20/99 |
| MSS Task Order 464 | N/A | N/A | 11/29/00 |
| MSS Task Order 033 | N/A | N/A | 9/19/01 |
| MSS Task Order 627 | N/A | N/A | 10/22/01 |
| MSS Task Order 049 | N/A | N/A | 5/31/02 |
| MSS Task Order 080 | N/A | N/A | 6/12/02 |
| MSS Task Order 086 | N/A | N/A | 10/23/02 |
| Electrical Complex/Miscellaneous Small Structures – Phase II | 3/5/03 | 4/7/03 OEPA | Target March 2006 |

* Includes Plant 3, General Sump, Plant 2, Plant 8, and Liquid Storage Complex

Section B.1: Contract Compliance Matrix
Statement of Work Elements Related to the Declaration that the FCP Has Been Physically Completed

| MATRIX TABLE B.1-6 |
|---|
| Contract DE-AC24-01OH20115 – Section C Work Scope Definition:<br><br>C.2.3 PBS-03: On-Site Disposal Facility<br><br>The On-Site Disposal Facility (OSDF) is an engineered disposal facility, located near the eastern edge of the FCP property boundary, designed to accept only FCP contaminated soil and debris meeting specified waste acceptance criteria (WAC) outlined in the five OU ROD's. Work includes but is not limited to engineering, construction, operations and closure. |
| Definition of completion:<br><br>• Completion of construction of the OSDF in accordance with the approved CFC design package (and all approved DCN's)<br>• Placement of waste and debris in accordance with the Impacted Materials Placement Plan and Waste Acceptance Criteria Plan and documented through the manifests of waste and debris acceptance.<br>• Completion of construction of the final cover system including achieving final grade and completion of required seeding.<br>• Removal of all construction related support infrastructure (roads, trailers etc.) |
| Documents used to demonstrate completion<br><br>• Preparation and submittal to USEPA of the several annual Construction Quality Assurance Final Reports (the last of these reports need only be accepted by DOE as the submission and approval cycles are beyond the date of physical completion of the FCP). These reports are prepared annually to document the previous years OSDF construction activity in a comprehensive manner. These reports document CQA activities related to materials acceptance, sub-grade preparation, geosynthetics installation, liner and cap material screening, tie-ins of leak detection and leachate collection pipelines, etc. These reports also contain the as-built drawings. A comprehensive listing of these reports to date is included following this page. This list will be updated as these reports are submitted<br>• Completed "OSDF Manifest for Bulk Soil and Debris (FS-F-5154)" located in the WAO Operating Record<br>• Submission to and acceptance by DOE of the OU5 Interim Remedial Action Report which will describe and demonstrate the OSDF as operating successfully<br><br>The Interim Remedial Action Report and project related documents will follow the same form, format, and content standard of documents previously submitted and approved.<br><br>Note: Interim declaration checklists (further discussed in Section C) will be used to document completion of discrete portions of field-work and can be used as the basis for documenting a final demonstration of completion. |
| Activities transferred to the legacy management phase:<br><br>• Long-term maintenance and care of the OSDF and management of OSDF generated leachate is defined in the approved OSDF Post Closure Care and Inspection Plan and the OSDF Groundwater Leak Detection and Leachate Monitoring Plan (GWLMP); support plans to the Comprehensive Legacy Management and Institutional Controls Plan.<br>• Leak detection monitoring activities as defined in the OSDF GWLMP |
| Activities Continuing During Contract Closeout Phase:<br><br>Decontamination of equipment may continue off-site up to 90 days after DOE acceptance of Fluor Fernald's Declaration of Physical Completion. Costs of the management of this contaminated equipment will be reimbursable and will be included within the total project costs used for fee determination purposes. Any costs associated with disposition of this contaminated equipment incurred more than 90 days after DOE acceptance of Fluor Fernald's Declaration of Physical Completion will not be reimbursable. Disposition of uncontaminated equipment/property that is not required for contract closeout or is not transferred to DOE for legacy management is expected to occur within 90 days of the Declaration of Physical Completion. The costs of the management of this uncontaminated property will be reimbursable as Contract Closeout costs. Fluor Fernald costs for disposition of records after the Declaration of Physical Completion will be reimbursable as Contract Closeout costs and will not be considered for fee determination purposes. It is expected that Fluor Fernald will complete disposition of all records within 180 days following DOE acceptance of Fluor Fernald's Declaration of Physical Completion except for those required to correct any deficiencies identified by DOE, to be used by DOE for legacy management, or to perform Contract Closeout activities. |

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**OSDF - Construction Quality Assurance Report History**

| Construction Quality Assurance Report | Submittal Date to DOE |
|---|---|
| Final Report for the OSDF Phase I – Cell 1 liner system and Overall Leachate Management System | January, 1998 |
| Final Report for the OSDF Phase II – Cell 2 Liner System | December 1998 |
| Final Report for the OSDF Phase II – Cell 3 Liner System | November 1999 |
| Final Report for the Enhance Permanent Leachate Transmission System | October 2001 |
| Final Report for the OSDF Phase III Final Cover Construction | September, 2002 |
| Final Report for the OSDF Phase IV – Cells 4 and 5 Liner Systems | June 2003 |
| Final Report for the OSDF Phase IV Cell 2 Final Cover Construction and Phase V Cell 6 Liner System | February 2004 |
| Final Report for the OSDF Phase V - Cell 7 and 8 (including expansion) liner systems, and Cell 3 and 4 (partial) final cover systems, and Valve House 7 and 8. | – March 2005 |
| Future Final Report – Cell 4, 5, 6, 7, and 8 (partial) final cover systems | Target - February 2006 |
| Future Final Report – Cell 8 final cover system | Target - March 2006 |

Section B.1: Contract Compliance Matrix
Statement of Work Elements Related to the Declaration that the FCP Has Been Physically Completed

| MATRIX TABLE B.1-7 |
|---|
| Contract DE-AC24-01OH20115 – Section C Work Scope Definition:<br><br>C.2.4 PBS-04: Aquifer Restoration<br><br>The Aquifer Restoration and Wastewater Project (ARWWP) includes the remediation (as defined in the OU-5 ROD) of that portion (approximately 180 acres) of the Great Miami Aquifer (GMA) which underlies and is south of the FCP which has become contaminated with uranium as a result of past operations. Also included is wastewater management which includes the operations and maintenance of the Advanced Wastewater Treatment (AWWT) Facility, satellite treatment facilities (i.e., Interim AWWT Facility and South Plume Interim Treatment Facility (SPIT)), the Sewage Treatment Plant, the AWWT Sludge Dewatering Facility, the Storm Water Retention Basins, the Biodenitrification Surge Lagoon, and the network of groundwater extraction and reinjection wells. The scope also includes assurance that all discharges are in compliance with the National Pollutant Discharge Elimination System (NPDES) permit (as well as the administration of the NPDES program) coordination of sitewide wastewater integration efforts, maintenance of the Spill Prevention Control and Counter Measures Plan and the Stormwater Pollution Prevention Plan, and management of the OSDF leachate. |
| Definition of completion:<br>Groundwater restoration will not be complete. However, all infrastructure required to complete the groundwater restoration will be installed and operational at the date of physical completion of the FCP and will include:<br>• South Plume Module Recovery Wells: six active wells and one inactive well<br>• South Field Module: 13 active extraction wells, 3 inactive extraction wells, 2 inactive injection wells and one injection basin<br>• Waste Storage Area Phase I Module: three active extraction wells<br>• Waste Storage Area Phase II Module: the number of wells are undefined at this time but will be determined by pre-design sampling in late 2004 or early 2005<br>• Property Boundary Re-injection Module: eight inactive injection wells<br>• Groundwater Monitoring Well network as identified on FCP Post-Closure Plan 1(inactive wells abandoned are removed in accordance with existing practice.<br>This infrastructure will include an undefined (as of this writing) injection system that likely will not involve well injection, operation of the Converted Advanced Wastewater Treatment Facility (CAWWT) and its support facilities, all associated pumps, piping networks, and valving, and ancillary equipment, and maintenance and use of the parshall flume building and associated instrumentation. The required spare parts inventory will be developed and stocked at the declaration that the FCP has been physically completed. Treatment process chemicals, well maintenance chemicals, and laboratory reagents will be identified and stocked at the declaration that the FCP has been physically completed.<br><br>Completion of the leachate system involving the eight OSDF valve houses (leachate collection and leak detection system) and method of transfer of collected leachate to CAWWT .<br><br>Remaining groundwater infrastructure and leachate management facilities will be that as identified on FCP Post-Closure Plan 2. |
| Documents used to demonstrate completion:<br>• CFC drawings for all wells, pipelines, utilities, treatment facilities, OSDF valve houses<br>• PM system for operations developed and PM's up to date at the declaration that the FCP has been physically completed<br>• Operating procedures developed and available to DOE-LM contractor<br>• Manufacturers manuals for equipment and instruments available<br>• Latest revision of the Operation and Maintenance Master Plan (OM&MP)<br>• Submission to and acceptance by DOE of the Operable Unit 5 Interim Remedial Action Report (addressing groundwater remedy) |
| Activities transferred to the legacy management phase:<br>• Operation of groundwater extraction, groundwater treatment, and leachate management/treatment facilities in accordance with the approved LMICP and associated operational procedures.<br>• Compliance with NPDES Permit, and regulatory requirements identified in Section A of this CE/T Plan.<br>• Process control sampling/analysis and effluent sampling/analysis necessary to ensure successful operation and fulfill groundwater remedy performance/effluent discharge reporting requirements of the OU5 ROD, NPDES Permit and IEMP (or similar environmental monitoring plan)<br>• Transfer of the groundwater model used to predict remedy performance<br>• Waste management activities related to the disposition of treatment residuals, lab wastes, and non-contaminated solid wastes |
| Activities Continuing During Contract Closeout Phase:<br><br>While it is expected that all necessary training to accomplish these activities will occur prior to the declaration that the FCP has been physically completed, any remaining required training of DOE's legacy management contractor personnel in the operation of well and treatment systems, sampling and analysis protocols, and groundwater modeling will be handled during contract closeout. |

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| MATRIX TABLE B.1-8 |
|---|
| Contract DE-AC24-01OH20115 – Section C Work Scope Definition:<br><br>C.2.4 PBS-04: Aquifer Restoration<br>The Environmental Monitoring scope of work includes the collection of environmental media (ground water, surface water, sediment, air, biota) samples to assess the impacts of remediation activities to the surrounding environment. Also included is execution of the National Emissions Standards for Hazardous Air Pollutants (NESHAP) monitoring and reporting program, management of the site wide well maintenance and abandonment program, and support to other PBS's in the development of project specific sampling plans.<br><br>The controlling document for the Environmental Monitoring Program is the Integrated Environmental Monitoring Plan (IEMP). The IEMP provides a remediation-specific focus by concentrating environmental monitoring program elements on remediation activities and by incorporating all regulatory requirements for site-wide monitoring, reporting, and remedy performance tracking that were activated by those applicable or relevant and appropriate requirements (ARAR's) identified in the various OU ROD's. |
| Definition of completion:<br><br>There is no defined end point of this environmental monitoring activity. Fluor Fernald's involvement with this activity ends with the acceptance by DOE of Fluor Fernald's declaration that the FCP has been physically completed under Section F.6 of the contract.<br><br>At physical completion of the FCP, the environmental monitoring infrastructure necessary for site operations post-physical completion will be in place. This infrastructure will include the required groundwater monitoring wells, effluent monitoring to the GMR at the Parshall Flume, and OSDF monitoring at the OSDF valve houses. |
| Documents used to demonstrate completion<br><br>• Latest approved revision of the IEMP |
| Activities transferred to the legacy management phase:<br><br>• Sampling, analysis, and reporting of environmental data in accordance with IEMP requirements |
| Activities Continuing During Contract Closeout Phase:<br><br>None. |

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| MATRIX TABLE B.1-9 |
|---|
| Contract DE-AC24-01OH20115 – Section C Work Scope Definition:<br><br>C.2.4 PBS-04: Aquifer Restoration<br>The Sample and Data Management scope of work consists of the development of technical and contractual requirements for analytical laboratories in support of remediation projects. This includes: providing technical guidance to, and monitoring performance of laboratories during analysis of samples in accordance with project requirements; receiving, packaging, and shipping project samples to off-site laboratories for analysis; receiving and distributing project samples to on-site laboratories; logging sample tracking data into the Sitewide Environmental Database; performing field, radiological, chemical data verification and validation to ensure compliance with project and regulatory requirements; conducting reviews, assessments, and audits of analytical laboratories to ensure maintenance of quality requirements; developing, managing, and maintaining site remediation data systems; performing electronic data entry and data acquisition functions in support of projects; providing necessary software support for loading of real-time data from field instruments into database systems; and providing Geographical Information System (GIS) and Data modeling support to projects including geostatistical, data kriging, modeling, and cross-section development. |
| Definition of completion:<br><br>There is no defined end point of this environmental monitoring activity. Fluor Fernald's involvement with this activity ends with the acceptance by DOE of Fluor Fernald's declaration that the FCP has been physically completed under Clause F.6 of the contract. |
| Documents used to demonstrate completion<br><br>NA |
| Activities transferred to the legacy management phase:<br><br>• The management of sampling activities and schedules and associated laboratory contracts<br>• Data entry, validation, and necessary QA/QC functions<br>• Reporting of data as defined in the IEMP.<br>• Maintenance of databases and web sites necessary to house and report environmental data |
| Activities Continuing During Contract Closeout Phase:<br><br>Laboratory contracts will be terminated or assigned (as may be allowed by the contract in question) to the legacy management contractor at the discretion of the contractor in consultation with DOE. |

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| MATRIX TABLE B.1-10 |
|---|
| Contract DE-AC24-01OH20115 – Section C Work Scope Definition:<br><br>C.2.5 PBS-05: Waste Pits Remedial Action Project<br><br>The Waste Pit Remedial Action Project (WPRAP) is a well defined approximate 38 acre area located in the northwest quadrant of the FCP site. Liquid and solid wastes generated by various chemical and metallurgical processing operations at the FCP were stored or disposed in six waste pits and the Clearwell, or burned in the Burn Pit, contained within the boundaries of OU-1. Also, a small amount of characteristic hazardous waste under RCRA may exist in the WPRAP. The primary components of the ongoing remedial action for the waste pits include the excavation of the waste pit contents, waste processing by sorting, crushing or shredding as required, treatment by thermal drying as required to remove moisture to meet disposal facility waste acceptance criteria, management of DOE tender(s), and off-site disposal at a permitted commercial disposal facility. RCRA waste, if encountered, will be treated prior to disposal. Soils (but not waste) capable of meeting the waste acceptance criteria for the OSDF are eligible for disposition within the OSDF. Further requirements include the decommissioning and removal of all associated processing and treatment facilities as well as miscellaneous structures and facilities within OU-1 and the disposition of remaining Operable Unit 1 residual contaminated soils consistent with selected remedies and final remedial levels for contaminated process area soils. |
| Definition of completion:<br><br>• Processing and disposition of waste pit materials and soils from the six waste pits and the Clearwell and Burn Pit.<br>• D&D of the facilities used to excavate, dry, ship and support the disposition of waste pit materials<br>• Certification of the underlying soils defined by Soil Certification Area 6<br>• Restoration of the waste pit area in accordance with the approved NRRP |
| Documents used to demonstrate completion<br><br>• Completed Form 540, "Uniform Low-Level Radioactive Waste Manifest Shipping Paper" for each gondola rail car comprising the unit trains (see attached table) executed by Fluor Fernald Inc. as shipper, CSXT as carrier, and Envirocare of Utah as consignee of the waste material.<br>• Completed Form 541, "Uniform Low-Level Radioactive Waste Manifest Container and Waste Description" for each gondola rail car comprising the unit trains (see attached table)<br>• Completed Form EC-0230, "Special Nuclear Material Exemption Certification" for each gondola rail car comprising the unit trains (see attached table) executed by Fluor Fernald Inc. as shipper.<br>• Completed "OSDF Manifest for Bulk Soil and Debris (FS-F-5154)" for debris, cap material, and soils acceptable for disposition in the OSDF<br>• Excavation of pit material down to the design elevation, removal of the six-inches of native earthen material at the pit material/soil interface, and visual inspection by WAO documenting no pit material remains<br>• Submission to and acceptance by DOE of the Operable Unit 1 Final Remedial Action Report (acceptance is assumed provided the standard format and content are followed as discussed in Matrix Table B.1-4)<br>• Submission to and acceptance by DOE of the Operable Unit 5 Final Remedial Action Report – Soils Remediation to address the underlying soils (acceptance is assumed provided the standard format and content are followed as discussed in Matrix Table B.1-4)<br>• Submission to and acceptance by DOE of the Operable Unit 3 Final Remedial Action Report to address the D&D of the remediation facilities (acceptance is assumed provided the standard format and content are followed as discussed in Matrix Table B.1-4)<br><br>Note: Interim declaration checklists (further discussed in Section C) will be used to document completion of discrete portions of field-work and can be used as the basis for documenting a final demonstration of completion. |
| Activities transferred to the legacy management phase:<br><br>No specific activity other than general care of the waste pit area in the context of overall care of the FCP site. |
| Activities Continuing During Contract Closeout Phase:<br><br>Decontamination of equipment may continue off-site up to 90 days after DOE acceptance of Fluor Fernald's Declaration of Physical Completion. Costs of the management of this contaminated equipment will be reimbursable and will be included within the total project costs used for fee determination purposes. Any costs associated with disposition of this contaminated equipment incurred more than 90 days after DOE acceptance of Fluor Fernald's Declaration of Physical Completion will not be reimbursable. Disposition of uncontaminated equipment/property that is not required for contract closeout or is not transferred to DOE for legacy management is expected to occur within 90 days of the Declaration of Physical Completion. The costs of the management of this uncontaminated property will be reimbursable as Contract Closeout costs. Fluor Fernald costs for disposition of records after the Declaration of Physical Completion will be reimbursable as Contract Closeout costs and will not be considered for fee determination purposes. It is expected that Fluor Fernald will complete disposition of all records within 180 days following DOE acceptance of Fluor Fernald's Declaration of Physical Completion except for those required to correct any deficiencies identified by DOE, to be used by DOE for legacy management, or to perform Contract Closeout activities. |

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**PBS-05: Waste Pits Remedial Action Project – Unit Train Shipments**

| Unit Train | Departure Date | Unit Train | Departure Date | Unit Train | Departure Date |
|---|---|---|---|---|---|
| WRS001 | 26-Apr-99 | WRS049 | 20-Nov-01 | WRS097 | 1-Oct-03 |
| WRS002 | 17-May-99 | WRS050 | 11-Dec-01 | WRS098 | 15-Oct-03 |
| WRS003 | 28-May-99 | WRS051 | 20-Dec-01 | WRS099 | 24-Oct-03 |
| WRS004 | 16-Jun-99 | WRS052 | 1-Feb-02 | WRS100 | 5-Nov-03 |
| WRS005 | 7-Jul-99 | WRS053 | 20-Feb-02 | WRS101 | 14-Nov-03 |
| WRS006 | 21-Jul-99 | WRS054 | 8-Mar-02 | WRS102 | 19-Nov-03 |
| WRS007 | 4-Aug-99 | WRS055 | 22-Mar-02 | WRS103 | 3-Dec-03 |
| WRS008 | September | WRS056 | 17-Apr-02 | WRS104 | 12-Dec-03 |
| WRS009 | September | WRS057 | 17-May-02 | WRS105 | 19-Dec-03 |
| WRS010 | 8-Oct-99 | WRS058 | 31-May-02 | WRS106 | 7-Jan-04 |
| WRS011 | 20-Oct-99 | WRS059 | 14-Jun-02 | WRS107 | 21-Jan-04 |
| WRS012 | 3-Nov-99 | WRS060 | 28-Jun-02 | WRS108 | 28-Jan-04 |
| WRS013 | 11-Nov-99 | WRS061 | 12-Jul-02 | WRS109 | 11-Feb-04 |
| WRS014 | 23-Nov-99 | WRS062 | 24-Jul-02 | WRS110 | 25-Feb-04 |
| WRS015 | 8-Dec-99 | WRS063 | 2-Aug-02 | WRS111 | 10-Mar-04 |
| WRS016 | 21-Dec-99 | WRS064 | 16-Aug-02 | WRS112 | 24-Mar-04 |
| WRS017 | 12-Jan-00 | WRS065 | 28-Aug-02 | WRS113 | 31-Mar-04 |
| WRS018 | 27-Jan-00 | WRS066 | 13-Sep-02 | WRS114 | 7-Apr-04 |
| WRS019 | 24-Feb-00 | WRS067 | 25-Sep-02 | WRS115 | 28-Apr-04 |
| WRS020 | 14-Mar-00 | WRS068 | 9-Oct-02 | WRS116 | 5-May-04 |
| WRS021 | 25-Apr-00 | WRS069 | 23-Oct-02 | WRS117 | 26-May-04 |
| WRS022 | 10-May-00 | WRS070 | 6-Nov-02 | WRS118 | 2-Jun-04 |
| WRS023 | 25-May-00 | WRS071 | 20-Nov-02 | WRS119 | 16-Jun-04 |
| WRS024 | 14-Jun-00 | WRS072 | 26-Nov-02 | WRS120 | 25-Jun-04 |
| WRS025 | 28-Jun-00 | WRS073 | 13-Dec-02 | WRS121 | 7-Jul-04 |
| WRS026 | 19-Jul-00 | WRS074 | 20-Dec-02 | WRS122 | 14-Jul-04 |
| WRS027 | 2-Aug-00 | WRS075 | 17-Jan-03 | WRS123 | 28-Jul-04 |
| WRS028 | 16-Aug-00 | WRS076 | 24-Jan-03 | WRS124 | 11-Aug-04 |
| WRS029 | 20-Sep-00 | WRS077 | 12-Feb-03 | WRS125 | 1-Oct-04 |
| WRS030 | 21-Nov-00 | WRS078 | 28-Feb-03 | WRS126 | 6-Oct-04 |
| WRS031 | 14-Dec-00 | WRS079 | 12-Mar-03 | WRS127 | 13-Oct-04 |
| WRS032 | 20-Dec-00 | WRS080 | 4-Apr-03 | WRS128 | 20-Oct-04 |
| WRS033 | 6-Feb-01 | WRS081 | 11-Apr-03 | WRS129 | 10-Nov-04 |
| WRS034 | 27-Feb-01 | WRS082 | 30-Apr-03 | WRS130 | 22-Nov-04 |
| WRS035 | 13-Mar-01 | WRS083 | 9-May-03 | WRS131 | 10-Dec-04 |
| WRS036 | 24-Apr-01 | WRS084 | 23-May-03 | WRS132 | 22-Dec-04 |
| WRS037 | 8-May-01 | WRS085 | 6-Jun-03 | WRS133 | 29-Dec-04 |
| WRS038 | 24-May-01 | WRS086 | 16-Jun-03 | WRS134 | 14-Jan-05 |
| WRS039 | 14-Jun-01 | WRS087 | 25-Jun-03 | WRS135 | 21-Jan-05 |
| WRS040 | 27-Jun-01 | WRS088 | 2-Jul-03 | WRS136 | 28-Jan-05 |
| WRS041 | 17-Jul-01 | WRS089 | 16-Jul-03 | WRS137 | 11-Feb-05 |
| WRS042 | 31-Jul-01 | WRS090 | 25-Jul-03 | WRS138 | 23-Feb-05 |
| WRS043 | 15-Aug-01 | WRS091 | 1-Aug-03 | WRS139 | 25-Feb-05 |
| WRS044 | 30-Aug-01 | WRS092 | 13-Aug-03 | WRS140 | 4-Mar-05 |
| WRS045 | 26-Sep-01 | WRS093 | 22-Aug-03 | WRS141 | 11-Mar-05 |
| WRS046 | 29-Sep-01 | WRS094 | 29-Aug-03 | WRS142 | 18-Mar-05 |
| WRS047 | 19-Oct-01 | WRS095 | 12-Sep-03 | WRS143 | 23-Mar-05 |
| WRS048 | 8-Nov-01 | WRS096 | 19-Sep-03 | WRS144 | 30-Mar-05 |

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| MATRIX TABLE B.1-11 |
|---|
| Contract DE-AC24-01OH20115 – Section C Work Scope Definition:<br><br>C.2.6 PBS-06: Soils Project<br>The soils project includes remediation of soil and at/below grade debris, including characterization, engineering, in-situ treatment, construction, excavation control monitoring to ensure regulatory compliance, and certification to final remediation levels.<br><br>Construction activities include such tasks as site preparation, at/below grade soil excavation, material segregation, transport to either OSDF or above-Waste Acceptance Criteria storage pile, equipment washing, facility operation, regrading, seeding, dust control, and storm water management.<br><br>Characterization activities include management and operation of all real-time in-situ gamma ray instrumentation necessary to ensure compliance with WAC, hot spot and pre-certification requirements. Characterization activities also include providing direction to the Environmental Monitoring Department (PBS-04) in the collection of physical samples to support pre-design, excavation control, pre-certification and certification efforts as needed. Similarly, the Soils Project ensures that all data collected supporting soil remedial actions is entered into the Sitewide Environmental Database. |
| Definition of completion:<br><br>• Certification of all remediation areas with the exception of those areas identified in the FCP Controlled Certification Map (This map is routinely updated. The final update will be provided with Fluor Fernald's letter declaring that the FCP has been physically completed) |
| Documents used to demonstrate completion<br><br>• Certification reports identified in the attached table<br>• Submission to and acceptance by DOE of the Operable Unit 5 Interim Remedial Action Report (Soils Remediation)<br><br>The Interim Remedial Action Report and project related documents will follow the same form, format, and content standard of documents previously submitted and/or approved as discussed in Matrix Table B.1-4. (Acceptance is assumed provided the standard format and content are followed)<br><br>Note: Interim declaration checklists (further discussed in Section C) will be used to document completion of discrete portions of field-work and can be used as the basis for documenting a final demonstration of completion. |
| Activities transferred to the legacy management phase:<br><br>• Certification of those soils areas that have not been certified due to the presence of the groundwater infrastructure<br>• Control of certified areas in accordance with the Comprehensive Legacy Management and Institutional Controls Plan |
| Activities Continuing During Contract Closeout Phase:<br><br>Decontamination of equipment may continue off-site up to 90 days after DOE acceptance of Fluor Fernald's Declaration of Physical Completion. Costs of the management of this contaminated equipment will be reimbursable and will be included within the total project costs used for fee determination purposes. Any costs associated with disposition of this contaminated equipment incurred more than 90 days after DOE acceptance of Fluor Fernald's Declaration of Physical Completion will not be reimbursable. Disposition of uncontaminated equipment/property that is not required for contract closeout or is not transferred to DOE for legacy management is expected to occur within 90 days of the Declaration of Physical Completion. The costs of the management of this uncontaminated property will be reimbursable as Contract Closeout costs. Fluor Fernald costs for disposition of records after the Declaration of Physical Completion will be reimbursable as Contract Closeout costs and will not be considered for fee determination purposes. It is expected that Fluor Fernald will complete disposition of all records within 180 days following DOE acceptance of Fluor Fernald's Declaration of Physical Completion except for those required to correct any deficiencies identified by DOE, to be used by DOE for legacy management, or to perform Contract Closeout activities. |

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**PBS-06: Soils Project – Table of Soil Certification Status**

| Approved Certification Areas To Date | |
|---|---|
| **Certification Area** | **EPA Approval** |
| Area 1, Phase I | 6/30/1998 |
| Area 1, Phase I Sediment Traps 2&3 | 3/1/1999 |
| Area 1, Phase II Sectors 1, 2A, & Conveyance Ditch | 6/19/1998 |
| Area 1, Phase II Sector 2B | 6/16/1999 |
| Area 1, Phase II Sector 2 (west of former N. Access Rd | 3/14/2000 |
| Area 1, Phase II | 8/9/2000 |
| Area 1, Phase II - Addendum 1 | 3/1/2002 |
| Area 1, Phase III Part 1 | 9/14/2001 |
| Area 1, Phase III Part 2 | 1/4/2001 |
| Area 1, Phase IV Part 1 | 5/10/04 |
| Area 1, Phase IV Part 2 | 9/22/04 |
| Area 1, Phase IV Part 3 | 9/22/04 |
| Area 2, Phase I Active Flyash Pile | 3/20/2001 |
| Area 2, Phase I (IFP, South Field, CA, & HR) | 1/23/2003 |
| Area 2, Phase II Part Three Soil Stockpile 3 Footprint | 3/19/2001 |
| Area 2 Phase II (Subareas 1,2,4) | 6/18/2004 |
| Area 2, Phase III Part 1 | 12/21/1999 |
| Area 2, Phase III Part 2 | 10/26/2000 |
| Area 3A | 3/15/2005 |
| Area 3B | 3/15/2005 |
| Area 5 Eastern Field | 11/26/2002 |
| Area 6, Phase I Part 1 | 12/1/2003 |
| Area 6, Phase I Part 2 | 4/29/2004 |
| Area 8, Phase I | 8/19/1998 |
| Area 8 Phase II & Area 6 Triangle Area | 9/23/1999 |
| Area 8 Phase III - North | 1/22/2004 |
| Area 8, Phase III – South | 9/25/2000 |
| Area 9, Phase I (Off Property) | 12/13/2002 |
| Area 9 Phase II (Off Property) | 3/2/2004 |

| Future Soil Certification Report Target Submission Dates to DOE | |
|---|---|
| **Certification Area** | **Target Submission** |
| Area 2 Phase II (Subarea 3) | September 2005 |
| Area 4A | July 2005 |
| Area 4B | October 2005 |
| Area 5 | September 2005 |
| Area 5 Production Area – MDC 1st Street | March 2006 |
| Area 6 Waste Pits/General Area | December 2005 |
| Area 6 Former Production Area & MDC North | December 2005 |
| Area 7 | February 2006 |
| Area 9 Phase III Parts 1, 2, &3 (Off Property) | July 2005 |
| Area Stream Corridors | October 2005 |

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| MATRIX TABLE B.1-12 |
|---|
| Contract DE-AC24-01OH20115 – Section C Work Scope Definition:<br><br>C.2.6 PBS-06: Soils Project<br>In April 1998, the Natural Resource Trustees (NRTs) negotiated a tentative settlement to resolve DOE liability for natural resource impacts under Section 107 of CERCLA. In doing so, a path forward was established for natural resource restoration of the Fernald site. The proposed natural resource restoration at Fernald has been documented in a conceptual plan, entitled the Natural Resource Restoration Plan. The Draft Natural Resource Restoration Plan dated January 2002 constitutes the natural resource restoration project Scope of Work for Natural Resources Restoration activities to be performed under the Contract. The Contractor's responsibility for maintenance and monitoring of restored areas will cease with the Declaration of Closure. |
| Definition of completion:<br><br>Completion of the scope of the January 2002 NRRP. The NRRP is referenced in the contract and lays out the restoration requirements for the site at the conceptual level (e.g., proposed locations of wetlands, open water and prairie grass restoration). A Natural Resource Restoration Design Plan (NRRDP) will be developed for each area providing details such as grading plans, planting plans, etc. Each NRRDP will be approved by the DOE-Fernald Closure Project and issued to the Fernald Natural Resource Trustees (NRTs) and Agencies prior to project implementation. Completion of a final Restored Area Monitoring Report for calendar year 2005 will be developed and submitted to DOE-FCP in early 2006 and will complete Fluor Fernald monitoring requirements for restored areas at the FCP. NRRP reference is: U.S. Department of Energy, 2002, "Natural Resource Restoration Plan," Final, Fernald Environmental Management Project, DOE, Fernald Area Office, Cincinnati, Ohio. |
| Documents used to demonstrate completion<br><br>• Completion reports for the individual restoration projects (projects are identified in the attached table).<br>•<br>• Restored Area Monitoring Report for 2004<br>• Restored Area Monitoring Report for 2005<br>• Submission of and acceptance by DOE of the OU5 Interim Remedial Action Report (Soils)<br><br>Acceptance of the project related documents is assumed provided they follow the same form, format, and content standard of documents previously submitted.<br><br>Note: Interim declaration checklists (further discussed in Section C) will be used to document completion of discrete portions of field-work and can be used as the basis for documenting a final demonstration of completion. |
| Activities transferred to the legacy management phase:<br><br>• Follow-up monitoring in wetland mitigation projects to close out Clean Water Act requirements for mitigated wetlands on the FCP.<br>• Any monitoring and maintenance requirements in restored areas that are required by the NRDA Settlement.<br>• Maintaining compliance requirements for Wetlands, Threatened and Endangered Species, and Archaeological Sites and Native American Burial Sites on the Fernald Site, and in areas that may be impacted by Fernald Site activities.<br>• Control of noxious weeds in restored areas will be required as required by Ohio law.<br>• Routine inspection of restored areas to ensure that no trespassing or improper use of the site is occurring.<br>• Care of the site, including all necessary inspections, in accordance with the Comprehensive Legacy Management & Institutional Controls Plan |
| Activities Continuing During Contract Closeout Phase:<br><br>Decontamination of equipment may continue off-site up to 90 days after DOE acceptance of Fluor Fernald's Declaration of Physical Completion. Costs of the management of this contaminated equipment will be reimbursable and will be included within the total project costs used for fee determination purposes. Any costs associated with disposition of this contaminated equipment incurred more than 90 days after DOE acceptance of Fluor Fernald's Declaration of Physical Completion will not be reimbursable. Disposition of uncontaminated equipment/property that is not required for contract closeout or is not transferred to DOE for legacy management is expected to occur within 90 days of the Declaration of Physical Completion. The costs of the management of this uncontaminated property will be reimbursable as Contract Closeout costs. Fluor Fernald costs for disposition of records after the Declaration of Physical Completion will be reimbursable as Contract Closeout costs and will not be considered for fee determination purposes. It is expected that Fluor Fernald will complete disposition of all records within 180 days following DOE acceptance of Fluor Fernald's Declaration of Physical Completion except for those required to correct any deficiencies identified by DOE, to be used by DOE for legacy management, or to perform Contract Closeout activities. |

Section B.1: Contract Compliance Matrix
Statement of Work Elements Related to the Declaration that the FCP Has Been Physically Completed

**PBS-06: Natural Resource Restoration Plan - Restoration Field Work**

| Project | Field Work Completed |
|---|---|
| Aesthetic Barrier | October 1998 |
| Wetland Mitigation Phase I | May 2000 |
| Forest Demonstration | May 2001 |
| Southern Waste Units | May 2003 |
| Northern Pines | November 2003 |
| Wetland Mitigation Phase II | November 2004 |
| Paddys Run West | Target June 2005 |
| Borrow Area | Target December 2005 |
| Paddys Run East | Target June 2005 |
| Production Area | Target March 2006 |
| Waste Pits | Target December 2005 |
| Silos | Target March 2006 |
| OSDF Perimeter | Target March 2006 |

Section B.1: Contract Compliance Matrix
Statement of Work Elements Related to the Declaration that the FCP Has Been Physically Completed

| MATRIX TABLE B.1-13 |
|---|
| Contract DE-AC24-01OH20115 – Section C Work Scope Definition:<br><br>C.2.6 PBS-06: Soils Project<br>The Contractor shall install the infrastructure and develop the necessary plans that establish the specific Long Term Stewardship activities required to support the RODs for the Fernald Site. Infrastructure consists of the facilities and equipment necessary for institutional controls and the long term surveillance and maintenance of the remedy. Any Stewardship activities required prior to Closure shall be performed by the Contractor. The Contractor shall assure smooth transition of the site to the Contractor responsible for LTS. |
| Definition of completion:<br><br>• DOE-FCP approval of the Comprehensive Legacy Management & Institutional Controls Plan (including support plans)<br>• Installation of the required infrastructure as described in the LMIC P |
| Documents used to demonstrate completion<br><br>• Comprehensive Legacy Management & Institutional Controls Plan (including support plans)<br>• Red-line drawings of infrastructure as depicted in the LMICP<br>• FCP Comprehensive Exit/Transition Plan<br><br>Note: Interim declaration checklists (further discussed in Section C) will be used to document completion of discrete portions of field-work and can be used as the basis for documenting a final demonstration of completion. |
| Activities transferred to the legacy management phase:<br><br>• Maintaining institutional controls established for the site.<br>• Completing Aquifer Remediation and groundwater certification requirements.<br>• Monitoring and reporting of environmental data per IEMP commitments.<br>• Continuing required groundwater monitoring program.<br>• Monitoring and managing leachate from the OSDF.<br>• Completing required surveillance and maintenance of the OSDF.<br>• Handling information requests related to legacy management and past site operations.<br>• Maintaining points of contact for Stakeholders and Regulators.<br>• Reporting requirements to Stakeholders and Regulators. |
| Activities Continuing During Contract Closeout Phase:<br><br>Decontamination of equipment may continue off-site up to 90 days after DOE acceptance of Fluor Fernald's Declaration of Physical Completion. Costs of the management of this contaminated equipment will be reimbursable and will be included within the total project costs used for fee determination purposes. Any costs associated with disposition of this contaminated equipment incurred more than 90 days after DOE acceptance of Fluor Fernald's Declaration of Physical Completion will not be reimbursable. Disposition of uncontaminated equipment/property that is not required for contract closeout or is not transferred to DOE for legacy management is expected to occur within 90 days of the Declaration of Physical Completion. The costs of the management of this uncontaminated property will be reimbursable as Contract Closeout costs. Fluor Fernald costs for disposition of records after the Declaration of Physical Completion will be reimbursable as Contract Closeout costs and will not be considered for fee determination purposes. It is expected that Fluor Fernald will complete disposition of all records within 180 days following DOE acceptance of Fluor Fernald's Declaration of Physical Completion except for those required to correct any deficiencies identified by DOE, to be used by DOE for legacy management, or to perform Contract Closeout activities. |

Section B.1: Contract Compliance Matrix
Statement of Work Elements Related to the Declaration that the FCP Has Been Physically Completed

| MATRIX TABLE B.1-14 |
|---|
| Contract DE-AC24-01OH20115 – Section C Work Scope Definition:<br><br>C.2.7 PBS-07: Silos Project<br><br>The scope of work for PBS-07 includes the remediation of the material in Silos 1, 2, and 3 consistent with the OU4 ROD, and subsequent revisions and amendments. The ROD for OU-4 was signed in 1994. The remedy documented in the original ROD has been modified through several subsequent revisions in accordance with CERCLA:<br>• Explanation of Significant Differences for Silo 3, March 1998 – changed the treatment component of the Silo 3 remedy from onsite vitrification to onsite or offsite treatment by chemical stabilization or polymer encapsulation to meet TCLP limits for metals and attain disposal facility WAC and allowed disposal at an appropriately-permitted commercial disposal facility in addition to the DOE Nevada Test Site (NTS).<br>• Record of Decision Amendment for Silos 1 and 2, June 2000 changed the treatment component of the Silos 1 and 2 remedy from vitrification to chemical stabilization to meet TCLP limits for metals and attain disposal facility WAC; specified off-site disposal of concrete from the Silo 1 and 2 structures; maintained requirement for disposal of treated Silos 1 and 2 material at the NTS.<br>• Record of Decision Amendment for Silo 3, September 2003 – redefined criteria for treatment of Silo 3 material – requiring treatment, to the degree reasonably implmenentable, to address dispersability and mobility of metals, and allowed double-packaging of untreated Silo 3 material, as a contingent remedy if the treatment proved un-implementable.<br>• Explanation of Significant Differences for Silos 1 and 2, November 2003 – removed the TCLP limits for metals as a performance standard for chemical stabilization (requiring chemical stabilization to attain disposal facility WAC); allowed disposal at an appropriately-permitted commercial disposal facility in addition to the NTS; clarified requirements for treatment of residual silo material remaining in the silo after completion of waste retrieval.<br><br>The Silos Project is organized with three (3) major subprojects as follows:<br>• Silos 1 and 2 Full-Scale Remediation Project - The scope of the project is to design, construct, process, and disposition the waste.<br>• Silos 1 and 2 Accelerated Waste Retrieval (AWR) Project - The scope of this project is to design, construct, test, and retrieve the material in Silos 1 and 2 into transfer tanks as preparatory work for material treatment and disposal.<br>• Silo 3 Project - The scope of this project is to design, construct, test, retrieve, treat, and disposition the waste. |
| Definition of completion:<br>• Processing and disposition of silo waste material, silos debris, and soils<br>• D&D of the Silo 1, 2, and 3 structures and the Silos 1&2, Silo 3, and AWR remediation facilities used to process silo waste material; and disposal of the resulting debris in accordance with the OU3 ROD<br>• Certification of the underlying soils defined by Soil Certification Area 7<br>• Restoration of the silos project area in accordance with the approved NRRP |
| Documents used to demonstrate completion<br>• Manifests documenting disposition of silo material (including necessary debris) at a DOE identified disposal site<br>• Completed "OSDF Manifest for Bulk Soil and Debris (FS-F-5154)" for debris and soils acceptable for disposition in the OSDF<br>• Area 7 Soil Certification Report<br>• Implementation Plan and Closeout Report for the Silos D&D activities.<br>• Submission to and acceptance by DOE of the OU4 Final Remedial Action Report<br>• Submission to and acceptance by DOE of the Operable Unit 3 Final Remedial Action Report (to address the D&D of the remediation facilities)<br>• Submission to and acceptance by DOE of the Operable Unit 5 Final Remedial Action Report – Soils Remediation (to address the underlying soils)<br>Note: Interim declaration checklists (further discussed in Section C) will be used to document completion of discrete portions of field-work and can be used as the basis for documenting a final demonstration of completion. |
| Activities transferred to the legacy management phase:<br><br>None. |
| Activities Continuing During Contract Closeout Phase:<br>Decontamination of equipment may continue off-site up to 90 days after DOE acceptance of Fluor Fernald's Declaration of Physical Completion. Costs of the management of this contaminated equipment will be reimbursable and will be included within the total project costs used for fee determination purposes. Any costs associated with disposition of this contaminated equipment incurred more than 90 days after DOE acceptance of Fluor Fernald's Declaration of Physical Completion will not be reimbursable. Disposition of uncontaminated equipment/property that is not required for contract closeout or is not transferred to DOE for legacy management is expected to occur within 90 days of the Declaration of Physical Completion. The costs of the management of this uncontaminated property will be reimbursable as Contract Closeout costs. Fluor Fernald costs for disposition of records after the Declaration of Physical Completion will be reimbursable as Contract Closeout costs and will not be considered for fee determination purposes. It is expected that Fluor Fernald will complete disposition of all records within 180 days following DOE acceptance of Fluor Fernald's Declaration of Physical Completion except for those required to correct any deficiencies identified by DOE, to be used by DOE for legacy management, or to perform Contract Closeout activities. |

Section B.1: Contract Compliance Matrix
Statement of Work Elements Related to the Declaration that the FCP Has Been Physically Completed

| MATRIX TABLE B.1-15 |
|---|
| Contract DE-AC24-01OH20115 – Section C Work Scope Definition:<br><br>C.2.10 PBS-10: Waste Treatment (Mixed Waste)<br><br>Waste Treatment (WT) includes the planning, characterization, packaging, treatment, shipping, and disposition of hazardous, mixed, Toxic Substance Control Act (TSCA), medical, thorium and certain low-level waste. The scope of work for PBS-10 is divided into eight sub-groupings:<br><br>• Organic Treatment: treatment and disposal of a variety of organically contaminated wastes including PCB's, debris, soils, sludge and stabilized water.<br>• Inorganic Treatment: treatment and disposal of inorganic wastes including lead, mercury and smaller quantities of miscellaneous inorganics.<br>• Thorium: preparation and disposal of low level thorium residues, and treatment and disposal of low level mixed thorium wastes.<br>• TSCA Liquids: disposition of aqueous/liquid mixed, TSCA or combustible wastes at the DOE TSCA incinerator at Oak Ridge, TN or elsewhere.<br>• Aqueous/Liquids Wastes: disposition of aqueous mixed waste through to FCP Advanced Wastewater Treatment Facility.<br>• Hazardous Wastes: disposition, including treatment and recycling of a variety of waste types such as batteries, medical wastes, photography waste, light ballast, and miscellaneous chemicals.<br>• Waste Treatment Administration: project support activities including maintenance of the FFCA Site Treatment Plan.<br>• Sample Disposition |
| Definition of completion:<br><br>The following description is written to the completion of the scope defined by PBS-10, recognizing the waste management function was moved to new PBS 30. Because mixed wastes and or hazardous waste may continue to be generated up to Fluor Fernald's declaration that the FCP has been physically completed, as well as post physical completion, the completion is defined in terms of the disposition of a specific inventory. Completion will be the successful shipping and receipt of the inventory in question. Final destruction and/or disposition is beyond the control of Fluor Fernald.<br>Completion therefore is:<br>• The inventory in this work scope is tracked in the Sitewide Waste Information, Forecast and Tracking System (SWIFTS)as containerized waste. Completion of disposal is documented in a SWIFTS printout indicating zero "ACTIVE" containers produced prior to February 17, 2004<br>• |
| Documents used to demonstrate completion<br><br>• SWIFTS printout indicating zero "ACTIVE" containers with a production date prior to February 17, 2004.<br>•<br>•<br>• Submission to and acceptance by DOE of the Operable Unit 3 Final Remedial Action Report<br><br>Note: Interim declaration checklists (further discussed in Section C) will be used to document completion of discrete portions of field-work and can be used as the basis for documenting a final demonstration of completion. |
| Activities transferred to the legacy management phase:<br><br>Generation of hazardous and mixed wastes post physical completion should be limited to wastes generated to support operations and may include waste streams such as aerosol cans, lab standards, waste oils and other wastes associated with any vehicle fleet.<br><br>Based on the wastes generated related to long-term care of the facility and operation of the groundwater and leachate infrastructure, the applicable regulations and disposal pathways will be defined and associated contracts for disposition will need to be established by or assigned to the legacy management contractor. Fluor Fernald has provided DOE a list of expected types and quantities of waste that would be present at the time of Declaration of Physical Completion. DOE has agreed to manage this waste after the Declaration of Physical Completion. |
| Activities Continuing During Contract Closeout Phase:<br><br>Assignment of the necessary contracts to disposition accumulated hazardous and mixed wastes. There may be a small number of containers that will have no treatment options. Currently, there is one potential container in this category. Fluor Fernald will work with the DOE to develop a plan for the storage any such "orphan" waste at another DOE site. The storage would be needed until treatment options become available. |

Section B.1: Contract Compliance Matrix
Statement of Work Elements Related to the Declaration that the FCP Has Been Physically Completed

| MATRIX TABLE B.1-16 |
|---|
| Contract DE-AC24-01OH20115 – Section C Work Scope Definition:<br><br>C.2.11 PBS-11: Low Level Waste<br><br>Waste Management includes the planning, characterization, packaging, treatment, shipping, and disposition of Low Level Waste (LLW) inventories. LLW included in the scope of this project is grouped according to waste type, processing requirements, and disposition alternatives. The waste groups are: trash, asbestos, residues, soil, and uranium wastes. LLW within the scope of PBS-11 is generally "containerized" wastes. Other PBS's have provided budget and schedule for disposition of LLW generated or managed by those projects.<br><br>In addition to LLW disposition, PBS-11 includes program management activities to assure and plan for effective implementation of the overall waste management mission of the FCP, including administration, waste and materials consolidation, inventory management, work forecasting, pollution prevention and waste minimization, warehousing, field operations support, and support of DOE waste management initiatives. In addition, the Contractor is required to manage the Department's waste transportation tenders. The Contractor shall manage all services required to perform waste disposal for this and the other PBS's whether by subcontract, under agreement with another Federal Government site, or by DOE prime contract, including that with Envirocare of Utah. |
| Definition of completion:<br><br>In 1989, the remaining LLW at Fernald totaled 6.56 million cubic feet. As of June 21, 1996, approximately 4,550,000 cubic feet or 615,000 drum equivalents had been transferred from the FCP to the NTS for disposal.<br><br>The inventory in this work scope is tracked in the Sitewide Waste Information, Forecast and Tracking System (SWIFTS)as containerized waste. Completion of disposal is documented in a SWIFTS printout indicating zero "ACTIVE" containers produced prior to February 17, 2004. |
| Documents used to demonstrate completion<br><br>• SWIFTS printout indicating zero "ACTIVE" containers with a production date prior to February 17, 2004<br>•<br>• Submission to and acceptance by DOE of the Operable Unit 3 Final Remedial Action Report<br><br>Note: Interim declaration checklists (further discussed in Section C) will be used to document completion of discrete portions of field-work and can be used as the basis for documenting a final demonstration of completion. |
| Activities transferred to the legacy management phase:<br><br>There will be limited amounts of LLW generated during legacy management of the site. It is assumed that LLW generated during legacy management will be dispositioned to NTS. This will require a waste certification official be identified, waste profiles be developed and approved by NTS, and a waste management program (e.g. waste characterization, storage, and shipping) be maintained. Fluor Fernald has provided DOE a list of expected types and quantities of waste that would be present at the time of Declaration of Physical Completion. DOE has agreed to manage this waste after the Declaration of Physical Completion. |
| Activities Continuing During Contract Closeout Phase:<br><br>All LLW with existing effective waste profiles, generated up to March 31, 2006 will be dispositioned to NTS. Wastes generated after this date will be managed and dispositioned ASAP. All LLW that require new profiles to be developed will be dispositioned by December 31, 2005. Wastes generated after this date will be managed and dispositioned ASAP but will not be within the purview of the declaration that the FCP has been physically completed under this contract. Acceptable management in accordance with existing site programs and procedures will be maintained. |

Section B.1: Contract Compliance Matrix
Statement of Work Elements Related to the Declaration that the FCP Has Been Physically Completed

| MATRIX TABLE B.1-17 |
|---|
| Contract DE-AC24-01OH20115 – Section C Work Scope Definition:<br><br>C.3.7 Long-Term Stewardship (LTS)<br><br>The Contractor shall ensure that long-term stewardship (LTS) issues are considered in the cleanup decision-making processes and that the closure of the FCP balances the cost of cleanup with DOE's LTS post closure liability.<br><br>Even though the LTS activities after site closure are not included in the scope of this contract, the activities needed to ensure the site's successful transition to LTS are included.<br><br>The Contractor shall support DOE in its efforts to ensure institutional controls and engineered controls are placed in a manner consistent with the FCP requirements.<br><br>The Contractor shall develop a comprehensive LTS Plan for the FCP in accordance with the (draft) Long-Term Stewardship Planning Guidance for Closure Sites. This shall include, but not be limited to, DOE responsibilities to maintain, monitor and enforce the institutional controls, planning for records/information management, public relations/education, environmental monitoring for all media of concern, and (if warranted) environmental remediation required post-closure (e.g., groundwater pump and treat).<br><br>The Contractor shall assist DOE's analysis of site transfer readiness into LTS. The readiness analysis shall include the following: authority and accountability, site conditions, engineered controls, institutional controls, regulatory requirements, management of financial and human resources, information management, public outreach, and management of natural, cultural and historical resources. This analysis will be titled the "FCP/Comprehensive Exit/Transition Plan," and shall be completed not later than September 30, 2004. The Plan will be updated one year prior to site closure.<br><br>The Contractor shall assist DOE in coordination and communication regarding LTS planning and transition with all involved parties including local stakeholders and regulators. |
| Definition of completion:<br><br>The objective evaluation will be defined by the submission of the Comprehensive Legacy Management and Institutional Controls Plan and the Comprehensive Exit/Transition Plan. Acceptance of these plans by the DOE will define completion in these areas (Section A.6 of this plan discusses approval of the LMICP). Objective evaluation will occur during the declaration process (See Section C of this CE/T Plan) to verify that all infrastructure required to support legacy management is in place. DOE acceptance that this infrastructure is in place will define completion. |
| Documents used to demonstrate completion<br><br>• Comprehensive Legacy Management and Institutional Controls Plan<br>• Comprehensive Exit/Transition Plan<br><br>Note: Interim declaration checklists (further discussed in Section C) will be used to document completion of discrete portions of field-work and can be used as the basis for documenting a final demonstration of completion. |
| Activities transferred to the legacy management phase:<br><br>• Maintaining institutional controls established for the site.<br>• Completing Aquifer Remediation and groundwater certification requirements.<br>• Continuing required groundwater monitoring program.<br>• Monitoring and managing leachate from the OSDF.<br>• Completing required surveillance and maintenance of the OSDF.<br>• Handling information requests related to legacy management and past site operations.<br>• Maintaining points of contact for Stakeholders and Regulators.<br>• Reporting requirements to Stakeholders and Regulators. |
| Activities Continuing During Contract Closeout Phase:<br><br>Assign existing support contracts to DOE or DOE support contractors as directed by the DOE contracting officer and terminate any remaining support contracts as the need for the services ends. |

Legacy management infrastructure will also include having electronic information and data in a configuration that is transferable to the site steward. It is expected that DOE-LM will develop a Fernald component to their existing "GEMS" computer system or similar system that will be utilized to support required legacy management activities at Fernald. DOE-GJO's GEMs system is currently the operational system for Weldon Springs and many other sites for which they are responsible. Fluor Fernald will support the development of that system by having electronic information and data in a format that can be imported in to the system and outline the anticipated requirements of the system.

Section B.2: Contract Compliance Matrix
Statement of Work Elements Unrelated to the Declaration that the FCP Has Been Physically Completed

| MATRIX TABLE B.2-1 |
|---|
| Contract DE-AC24-01OH20115 – Section C Work Scope Definition:<br><br>C.2.1 PBS-01: Project Support<br><br>The scope of this portion of PBS-01 includes work necessary to provide services necessary for operation of the site in support of environmental restoration program needs. Services include but are not limited to: providing utilities, i.e., electricity, steam, potable and process water, compressed air, providing maintenance support, e.g., maintaining all mobile equipment, housekeeping duties for both the former process and administrative areas, preventative maintenance, roads, and grounds repair; providing transportation services; providing procurement and contracting services; providing surveillance/inspection of all buildings; and providing physical and personnel security services to the site.<br><br>The scope includes operation maintenance of all operating utility systems until they are deactivated. The Contractor shall implement a graded approach to the continuation of services and maintenance on all utility systems. The current status of the facilities being served and the minimum level of preventive and corrective maintenance shall be considered in the graded approach.<br><br>The work shall comply with the maintenance and operational standards of the organization providing utility services on the site boundary. Electric power, natural gas and natural gas transportation are procured through Government contract. The work includes the daily management of these services including, but not limited to, ordering, receiving invoices, validation of invoices and payment of invoices. |
| Definition of completion:<br><br>The scope of Project Support included the maintenance and operation of the FCP to support all site activities. There is no specific completion criterion of this scope of work. In accordance with contractual commitments, as certain services become unnecessary, they are eliminated and removed from service to the point that only those services necessary for support of legacy management of the site are all that remain. Fluor Fernald will transfer responsibility for remaining operation and maintenance requirements, post physical completion, to DOE upon DOE acceptance of Fluor Fernald's declaration that the FCP has been physically completed. |
| Documents used to demonstrate completion<br><br>None. |
| Activities transferred to the legacy management phase:<br><br>The services necessary to support legacy management include: electricity, potable and process water, compressed air, maintaining all equipment including mobile equipment, housekeeping duties for continued remedial operations and administrative areas, preventative maintenance for operating equipment, maintenance of roads and grounds, providing procurement and contracting services; providing surveillance/inspection of all buildings; and providing physical security for the site. |
| Activities Continuing During Contract Closeout Phase:<br><br>Closeout of all Fluor Fernald programs associated with these activities, termination of all contracts not transferred to DOE's legacy management contractor, transfer of open contracts that DOE's legacy management contractor must assume, and disposition of all real and personal property not transferred to DOE's legacy management contractor |

Section B.2: Contract Compliance Matrix
Statement of Work Elements Unrelated to the Declaration that the FCP Has Been Physically Completed

MATRIX TABLE B.2-2

Contract DE-AC24-01OH20115 – Section C Work Scope Definition:

C.2.12 Program Support and Oversight
Program Support and Oversight are activities and functions that crosscut all the activities at the FCP. When a specific activity is directly attributable to a specific PBS, and when the costs can be collected easily, then the cost of that activity is charged to that specific PBS. Otherwise, the costs are collected and reported to PBS-12.

Support and Oversight is the summary WBS level which provides Administrative and Technical Oversight to ensure conformance with all federal and state laws and regulations and includes the following:

Administrative Support:

Contracts and Asset Management
Finance
Human Resources
Industrial Relations
Information Management
Internal Audit
Lease Administration
Legal
Office Services
Program Services
Property Management
Public Affairs
Records Management
Space Management
Stores Holding Accounts
Stores Administration
Total Quality Management

Technical Oversight & Integration:

Audits
Dosimetry
Emergency Services
Environmental Compliance
Medical
Operations Assurance
Program Services within Technical Oversight & Integration
Program Planning & Integration
Project Controls
Quality Assurance
Safety & Health
Security

The systems and processes discussed above are currently in use at the FCP. It is not envisioned that there will be significant replacement of these systems; however, the DOE is receptive to new and innovative approaches, which will reduce the administrative burden and increase the effectiveness of this project.

Definition of completion:

The scope of this PBS controls how fieldwork is accomplished. The administrative and technical oversight within the scope of this PBS will be in place as field work is completed and therefore will not be completed until the contract close-out phase

All of the functions listed in Section C.2.12 of the contract are required to support "... physical completion of the contract requirements as set forth in the Statement of Work ...", which is established in Section F.6 of the Closure Contract. Explicitly consistent with the intent of agreement between DOE and Fluor Fernald during negotiations resulting in Modification No. 38 to the Prime Contract, "physical completion" equates to the four bulleted items identified in Section C.1.2 (i.e. End State) of the Closure Contract.

While effective implementation of each of the identified functions are required to physically complete the bulleted items in Section C.1.2 there are no specific milestones, deliverables or activities associated with these functions that must be completed relative to our declaration that the FCP has been physically completed (Clause F.6). Fluor Fernald recognizes that all contractual requirements related to these functions must be consistent with the contract requirements while physically completing the bulleted items in C.1.2 when Fluor Fernald makes its declaration that the FCP has been physically completed based solely on physical completion of the bulleted items in C.1.2, the functions identified in C.2.12 will continue only to the extent they are required to support contract closeout. This is discussed on a function-by-function basis in the section below "Activities Transferred to Contract Closeout".

Documents used to demonstrate completion

None. See discussion above.

Section B.2: Contract Compliance Matrix
Statement of Work Elements Unrelated to the Declaration that the FCP Has Been Physically Completed

Activities transferred to the legacy management phase:

In theory, most if not all of the functions listed in C.2.12 would be performed by the legacy management contractor It is assumed that any follow-on legacy management contractor will be responsible for implementing their own Administrative Support and Technical Oversight of Integration procedures and programs.

It is recognized that Fluor Fernald will be in possession of certain physical assets upon its declaration that the FCP has been physically completed that will appropriately be transferred to the contractor/entity responsible for legacy management. These include:

Lease Administration – DOE must identify what facilities (either onsite or offsite) that will be required during legacy management. If any of these facilities are under lease by Fluor Fernald, we will facilitate novation of the lease (s) to the successor organization. This will (if required) be accomplished as early in the contract closeout period as feasible. It is expected that DOE will identify any required Post-physical completion facilities during CY2004.

Property Management – DOE must identify what property being managed by Fluor Fernald will be required during legacy management by December 31, 2004. This would include property types being controlled by Fluor Fernald Stores Administration. Fluor Fernald will facilitate the transfer of identified property to the successor organization as early in the contract closeout period as feasible. To facilitate the most effective transfer, DOE should identify any required property by the end of FY05.

Records Management – DOE must identify which records are to be physically transferred to DOE Office of Legacy Management (versus otherwise dispositioned per contract requirements). Fluor Fernald will work cooperatively with DOE to facilitate completion of identified records transfer as early in the contract closeout period as feasible.

Activities Continuing During Contract Closeout Phase:

Contracts and Asset Management – The Contract Closeout Plan is due to DOE concurrently with Fluor Fernald's declaration that the FCP has been physically completed. This contractual deliverable is subject to Contracting Officer (CO) approval, which by definition will occur in the post-physical completion (i.e. contract closeout) phase of the contract. It is Fluor Fernald's position that none of the contract deliverables during the active closure period of the contract will continue post-physical completion. This statement is applicable to all Contracts and Asset Management deliverables including but not limited to:

- ✓ Small business subcontracting plan goals
- ✓ SF 294
- ✓ SF 295
- ✓ Monthly acquisitions forecast
- ✓ Business clearance requests
- ✓ Balanced scorecard report
- ✓ RCRA/E013101 report
- ✓ Revised Service Contract Act Wage Determinations

To the extent the CO determines any of these to be required during contract closeout completion will be cost-reimbursable and in no way linked to Fluor Fernald's declaration that the FCP has been physically completed.

Contracts and Asset Management will be required during contract closeout to closeout subcontracts (collecting payments, closing subcontracts, assignment of subcontracts, possible subcontract litigation, records disposition, etc) and prime contract administration during closeout of the prime contract. These activities will be addressed in the Contract Closeout Plan.

Finance – Since the contract closeout phase of the contract is cost-reimbursable, the finance function will continue post-physical completion. As with all other functions identified in Section C.2.12 of the contract there are no finance related deliverables, milestones or activities directly tied to Fluor Fernald's declaration that the FCP has been physically completed. The Contract Closeout Plan will define post physical completion finance activities and are expected to include:

- ✓ Erroneous payment report
- ✓ Trailing invoice payments
- ✓ Payroll
- ✓ Certified payroll report
- ✓ Cost management report
- ✓ Actuarial valuation reports
- ✓ G&A final settlements
- ✓ Support cost incurred audits
- ✓ Final fee invoice and reconciliation with previous fee payments
- ✓ Archiving finance-related records
- ✓ Legal payments for litigation expenses in suspense pending DOE approval
- ✓ Collection of revenues for DOE, as appropriate, specifically including medical/dental insurance premium from retirees and displaced workers pending the function being acquired by DOE Office of Legacy Management
- ✓ Post-physical completion administration of: pension funding, retiree medical and life insurance, workers compensation payments, COBRA insurance payments, displaced workers insurance payments, payment of outplacement and various 3161 costs

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Human Resources (HR) – As with all other functions identified in Section C.2.12 of the contract there are no HR-related deliverables, milestones or activities directly tied to Fluor Fernald's declaration that the FCP has been physically completed. The Contract Closeout Plan will define post-physical completion HR activities and are expected to include:

- ✓ Final termination activities of personnel – processing out and severance payouts
- ✓ Closeout of benefit contracts
- ✓ Determination of support for 3161 activities – preference in hiring administration, education/training administration, relocation administration
- ✓ Termination of the 401 (k) plan
- ✓ Determination of administration for run-out medical and dental claims, COBRA administration, issuance of HIPAA Certifications, and Displaced Worker Medical Benefits
- ✓ Data collected and sent to pension administrator for final pension calculations
- ✓ Final IRS form 5500 filings
- ✓ Final external audit for 401 (k) and pension plan
- ✓ Determination of administration of the pension plan
- ✓ Support of ongoing and upcoming legal filings and cases
- ✓ Incentive plan payments – both initial and after fee determination
- ✓ Closeout of grievances
- ✓ Closeout of employee files

The DOE Contracting Officer (CO) must make a determination subject to all applicable contractual provisions, as to Fluor Fernald's role regarding certain post-employment employee benefits systems, post-retirement medical insurance, pension plan, and post-retirement life insurance. Implementation of the CO's determination on these issues will have no impact on the criteria for Fluor Fernald's declaration that the FCP has been physically completed.

Internal Audit (IA) – Fluor Fernald's position is that a formal internal audit program would not continue into the contract closeout phase of the contract. The current requirements for the Annual Activity Report for IA and the Annual Audit Plan will be in force only during the closure phase of the contract and will introduce no requirements relative to the declaration that the FCP has been physically completed. Notwithstanding the above, Fluor Fernald recognizes that audit support will likely be required during contract closeout. These services would be obtained through a cognizant Fluor Corporate entity.

Legal Affairs – There will be support from Legal Affairs relative to contract closeout activities. This will include management of any litigation or administrative complaints related to contract performance or closeout.

Lease Administration – There will be leased equipment and facilities that will be required to support contract activities up to and beyond Fluor Fernald's declaration that the FCP has been physical completed. Disposition of leased material is not a criteria for this declaration. Administration of any facilities/equipment required during contract closeout will continue as a normal course of business.

Office Services – There are no requirements related to the office services function that are criteria for Fluor Fernald's declaration that the FCP has been physically completed. This function will continue into the contract closeout phase as an incidental support activity only to the extent required to support other contract closeout activities.

Program Services - There are no requirements related to the program services function that are criteria for Fluor Fernald's declaration that the FCP has been physically completed. This function will continue into the contract closeout phase as an incidental support activity only to the extent required to support other contract closeout activities.

Total Quality Management (TQM) - There are no requirements related to the total quality management function that are criteria for Fluor Fernald's declaration that the FCP has been physically completed. This function will continue into the contract closeout phase as an incidental support activity only to the extent required to support other contract closeout activities.

Property Management – There are a number of contract/regulatory deliverables associated with the property management function that are required during the closure phase of the contract. These are:

- ✓ Annual Sensitive Property Inventory – DOE PMR 109.1.5110 (f)(2)
- ✓ Semi-Annual Personal Property Capital Equipment Report –
- ✓ Annual Excess Personal Property Furnished to Non-Federal Recipients Report – 41 CFR 102.36.295 and 41 CFR 109.43.4701 (c)
- ✓ Annual Negotiated Sales Report – Government Printing and Binding Regulations, Title IV, Section 49-1
- ✓ Annual Printing and Publishing Three-Year Plan – Government Printing and Binding Regulations, Title IV, Section 49-1

These will be required during post-physical completion to the extent required by the Contract Closeout Plan but there will be no criteria related to this function that will be associated with Fluor Fernald's declaration that the FCP has been physically completed.

The post-closure contract completion phase will include a Termination Inventory as required per FAR, Part 45, Subpart 508. This will include: a) a listing that identifies all discrepancies disclosed by the physical inventory, and b) a signed statement that physical inventory of all or certain classes of government property was completed on a given date and that the official property records were found to be in agreement except for discrepancies reported. While Fluor Fernald will work diligently to track and disposition property as feasible during the closure phase of the contract but complete disposition of government property including but not limited to stores inventory, subcontractor inventory, leases/rentals,

Section B.2: Contract Compliance Matrix
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| and vehicles/equipment inventories is not a requirement for Fluor Fernald's declaration that the FCP has been physically completed. On March 22, 2005, Fluor Fernald provided DOE an updated plan for the disposition of all equipment/property associated with the closure project and will provide DOE monthly updates on the status of the implementation of the plan. Fluor Fernald will regularly review the property list to identify and disposition property no longer needed for the project prior to Declaration of Physical Completion. The Plan shows that Fluor Fernald will disposition most of the property by the time of the Declaration of Physical Completion. Except for property needed for correction of any material deficiencies noted by DOE following the Declaration of Physical Completion, property otherwise needed for use during contract closeout (To be identified by general types and quantities by May 1, 2005 and in detail by June 1, 2005), and property that will be transitioned to DOE for legacy management (To be identified by June 1, 2005, disposition of all other property will occur within 90 days following DOE's acceptance of the Declaration of Physical Completion. It is expected that on-site property disposition will occur rapidly with the bulk of the property gone after the first 30 days. Property may still be staged at on-site location(s) (OSDF and Silos warehouse have currently been identified.) and other off-site locations during the 90-day period. |
| Public Affairs - There are no requirements related to the public affairs function that are criteria for Fluor Fernald's declaration that the FCP has been physically completed. This function will continue into the contract closeout phase as an incidental support activity only to the extent required to support other contract closeout activities.<br><br>Space Management - There are no requirements related to the space management function that are criteria for Fluor Fernald's declaration that the FCP has been physically completed. This function will continue into the contract closeout phase as an incidental support activity only to the extent required to support other contract closeout activities.<br><br>Information Management (IM) – The contract contained two deliverables that are provided directly by the information management functional area: a) an onsite accounting system (deleted from contract); and b) the IPEX system available to assist DOE in invoice review. Fluor Fernald anticipates working with DOE to optimize the way in which these services are provided. For the purposes of this deliverable, however, it is assumed these requirements will continue into the contract closeout phase of the project. There will be no criteria from the IM functional area related to Fluor Fernald's declaration that the FCP has been physically completed. Other IM support will continue into the contract closeout phase as an incidental support activity only to the extent required to support other contract closeout activities.<br><br>Stores Holding Accounts – See Property Management<br><br>Stores Administration – See Property Management<br><br>Records Management (RM) – The contract requirements relative to RM are specified in Section C.3.4 and are: The Contractor shall provide a records management program compliant with the DOE Guidance 1324.5B, and the OFO Records Management Program Management Guide dated March 2001. All records subject to the management of the Contractor are to be inventoried, scheduled and dispositioned in accordance with an approved Records Management Plan. Legacy records (records created or acquired prior to December 1, 1992) will be stored, safeguarded and transferred to DOE, or a Contractor designated by DOE, prior to the end of this contract.<br><br>Records required for post physical completion legacy management should be identified by DOE's legacy management contractor and will be managed by the Contractor until transferred. This includes, Geographic Information System, Fernald Environmental Information Management System, and CERCLA Reading Room documents. The Contractor shall provide a complete records inventory list in a hardcopy and electronic format to the post-physical completion records custodian identified by the Contracting Officer. The contractor shall provide a Reading Room through Physical completion to the extent required by CERCLA.<br><br>Fluor Fernald's Records Management Plan (PL-3087) which has been approved by DOE includes: "Dispositioning of Fluor Fernald records will be performed throughout the entire Closure Contract period, with some quantities of records remaining undispositioned as part of a Post Closure activity, consistent with Clause F.7, Contract Closeout, of the present contract. A Contract Closeout Plan will identify any remaining records requiring dispositioning."<br><br>While Fluor Fernald will continue to work in good faith to complete as much of the RM activities as feasible during the closure phase of the contract, all aspects of this function will continue into contract closeout. There are no criteria from this functional area associated with Fluor Fernald's declaration that the FCP has been physically completed.<br><br>Technical Oversight and Integration – All 12 of the functional areas listed in this portion of contract Section C.2.12 will support the closure phase of the contract. There are, however, no criteria from these functional areas associated with Fluor Fernald's declaration that the FCP has been physically completed. In general, these Functions will continue into the contract closeout phase as an incidental support activity only to the extent required to support other contract closeout activities.<br><br>There are a number of noteworthy specific activities associated with these functional areas that will continue post-physical completion during the contract closeout phase and are listed below for reference. This listing is in no way intended to be comprehensive.<br>✓ Final cost and schedule reporting for the closure phase of the contract<br>✓ Collecting and reporting costs during contract closeout<br>✓ Cost incurred auditing for contract closeout purposes<br>✓ Documentation of offsite analytical laboratory closeout<br>✓ Final archiving of records associated with these functional areas<br>✓ Individual notifications of health & safety exposures. This will include, by necessity, access to, followed by archiving of, associated records |

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- ✓ Injury/claims management
- ✓ Environmental compliance reporting. Section C.1.2 of the contract requires as a condition for the declaration that the FCP has been physically completed that "All documentation required by the site RODs shall be submitted to and accepted by the Department of Energy (DOE) for submission to the cognizant regulatory agencies." Section A.7 of this Comprehensive Exit/Transition Plan defines the purposes for meeting this requirement.
- ✓ Management of litigation, administrative claims, and subcontract disputes.

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| MATRIX TABLE B.2-3 |
|---|
| Contract DE-AC24-01OH20115 – Section C Work Scope Definition:<br><br>C.2.13 PBS-13: Post Source Term Removal Project<br><br>The Post Source Term Removal Project attempts to capture activities that need to take place in order to place the Fernald Closure Project in a final closure configuration. Many of the activities presented in this project will require Environmental Protection Agency (EPA) approval and Stakeholder input. General assumptions have been made in an attempt to put a rough order of magnitude estimate together for the scope, schedule, and cost for completing this work. The project assumes a period of long term monitoring, maintenance, and support extending until 2070. This time frame corresponds to the Resource Conservation Recovery Act (RCRA) type disposal area requirement. This could be modified to correspond to the transfer of the site to another DOE site by the regulators (See Section C.2). The Contractor shall plan and budget for this PBS. |
| Definition of completion:<br><br>• This is not part of the declaration that the FCP has been physically completed.<br>• This scope item is complete once DOE accepts the PBS schedule and budget estimate developed by Fluor Fernald for inclusion in the PBS.<br>• Completeness will be defined as an approved work scope definition for this PBS which addresses the long-term care of the site and the operations that will continue related to groundwater treatment and OSDF leachate management as well as an identification of scope and costs associated with future D&D of AWWT facilities and soils certification once groundwater infrastructure is removed.<br>• Note that this scope item was included in the FY 2006 IPABS submittal as item OH-FN-LTS: Legacy Management. |
| Documentation used to demonstrate completion:<br><br>Acceptance of the PBS 13 schedule and budget estimate by DOE. Fluor Fernald's submittal of the schedule and budget will occur in advance of the baseline closure date. Acceptance by DOE should also therefore be in advance of the baseline closure date, and nothing further on this item should need to be transferred to the contract closeout phase.<br><br>The submittal will include a summary planning account with schedule and cost estimate for the following discrete activities:<br>• Operation of the groundwater remedy (including monitoring and reporting)<br>• Operation of leachate management and OSDF leak detection program<br>• Long-term care of the FCP, including site surveillance, monitoring, and reporting for the On-Site Disposal Facility<br>• D&D of operational facilities at remedy completion<br>• Soil excavation/certification activities after operational facilities are removed<br>• Maintenance of site restoration areas<br><br>As of this edition of the CE/T Plan, DOE has accepted the FY 2006 IPABS plan and budget for this scope item. |
| Activities transferred to the legacy management phase:<br><br>This planning level document will be provided to DOE and the legacy management contractor. All activities identified will become the responsibility of DOE. |
| Activities Continuing During Contract Closeout Phase:<br><br>None. |

Section B.2: Contract Compliance Matrix
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| MATRIX TABLE B.2-4 |
|---|
| Contract DE-AC24-01OH20115 – Section C Work Scope Definition:<br><br>C.2.14 PBS-14: *Post-Closure Administration*<br><br>The Post-Closure Administration project provides funding support for post-closure contract liabilities – pension administration and funding, retiree medical, retiree life insurance, workers compensation, COBRA administration and claims, Displaced Workers Medical Plan administration and claims, run-out medical and dental health plan claims, retirement/savings plan termination administration and costs, final filings for all ERISA plans, 3161 administration and costs (education/training and relocation), and outplacement administration and costs (voluntary and involuntary program laid off employees). The Contractor shall plan and budget for this PBS. |
| Definition of completion:<br><br>• This is not part of the declaration that the FCP has been physically completed.<br>• This scope item is complete once DOE accepts the PBS schedule and budget estimate developed by Fluor Fernald for inclusion in the PBS.<br>• Completeness will be defined as an approved work scope definition for this PBS, which addresses the post-physical completion liabilities identified above.<br>• PBS 14 will also include budgetary needs for Energy Employee Occupational Injury Compensation Program Act (EEOICPA) of 2000 requirements for post-physical completion period as described under statement of work item C.4 DOE Support. Note that this scope item was included in the FY 2006 IPABS submittal as item OH-FN-0100, Fernald Post-Closure Administration. |
| Documentation used to demonstrate completion:<br>• Acceptance of the PBS 14 schedule and budget estimate by DOE. Fluor Fernald's submittal of the schedule and budget will occur in advance of the baseline closure date. Acceptance by DOE should also therefore be in advance of the baseline closure date, and nothing further on this item should need to be transferred to the contract closeout phase.<br>• As of this edition of the CE/T Plan, DOE has accepted the FY 2006 IPABS plan and budget for this scope item. |
| Activities transferred to the legacy management phase:<br><br>None. |
| Activities Continuing During Contract Closeout Phase:<br><br>None. |

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| MATRIX TABLE B.2-5 |
|---|
| Contract DE-AC24-01OH20115 – Section C Work Scope Definition:<br><br>C.3.1 Project Management System<br><br>The Contractor shall maintain the existing project management system in accordance with clause H.9 Project Control Systems and Reporting Requirements. It is not envisioned that there will be significant replacement of the existing system; however, the DOE is receptive to new and innovative approaches, which will reduce the administrative burden and increase the effectiveness of this project. |
| Definition of completion:<br><br>• This is not part of the declaration that the FCP has been physically completed.<br>• The existing project management system will continue to be used as part of contract closeout, beyond the baseline closure date, so therefore the activity under this work element does not end with physical completion.<br>• Once the physical completion date is achieved via acceptance of Fluor Fernald's declaration that the FCP has been physically completed, Fluor Fernald will enter the Contract Closeout phase, and the project management system will continue to be utilized to support specific project reporting requirements tailored to the contract closeout phase (see below). It is expected that these reporting requirements for contract closeout will be reduced from those in use until physical completion; the specific reporting requirements that are tailored (reduced) for contract closeout will be specified in the contract closeout plan submitted concurrently with Fluor Fernald's declaration that the FCP has been physically completed, as required by Clause F.6 of the contract. |
| Documents used to demonstrate completion:<br><br>NA |
| Activities transferred to the legacy management phase:<br><br>• The legacy management contractor will be responsible for coordinating with DOE on the systems and reporting requirements necessary to support legacy management activities. |
| Activities Continuing During Contract Closeout Phase:<br><br>• Fluor Fernald will continue to maintain and use the existing Project Management System during the contract closeout phase, for project control and reporting requirements that remain during contract closeout.<br>• The contract closeout plan will define the specific (i.e., reduced) project management reporting requirements that are tailored to contract closeout -- for use during the contract closeout phase.<br>• Fluor Fernald will end its participation in the Project Management System once closeout activities are complete and final reporting obligations are met during contract closeout. |

Section B.2: Contract Compliance Matrix
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| MATRIX TABLE B.2-6 |
|---|
| Contract DE-AC24-01OH20115 – Section C Work Scope Definition:<br><br>C.3.2 Integrated Safety Management System<br>The Contractor shall maintain a single, site-wide ISMS to accomplish all work as required by DEAR 970.5223-1 (Clause I.112), "Integration of Environment, Safety, and Health into Work Planning and Execution." The Contractor may adopt the existing approved ISMS or propose a new ISMS. A new ISMS will require DOE approval and Phase I/II verification.<br><br>The Contractor's ISMS shall ensure safety considerations are integrated throughout the entire work planning and execution process. This shall start with a physical completion strategy that considers safety when planning how building demolition; building transfer and environmental restoration objectives will be achieved. It shall extend through the execution of individual work packages where job site safety is ensured for each worker.<br><br>The Contractor shall complete any pre-existing open corrective actions identified by prior ISMS Verifications. The ISMS program shall be subject to an annual verification review by an OFO chartered ISMS Verification Team. |
| Definition of completion:<br><br>• This is not part of the declaration that the FCP has been physically completed. This is a project support activity and is used to define the manner in which physical work is conducted (in a safe and compliant manner). |
| Documents used to demonstrate completion<br><br>Not applicable |
| Activities transferred to the legacy management phase:<br><br>The United States Department of Energy Policy 450.4, Safety Management System Policy, (DOE-P 450.4) commits to institutionalizing an Integrated Safety Management System (ISMS) throughout the DOE complex. The DOE Acquisition Regulations (DEAR) (48 CFR 970) require contractors to manage and perform work in accordance with a documented ISMS. |
| Activities Continuing During Contract Closeout Phase:<br><br>None. |

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MATRIX TABLE B.2-7

Contract DE-AC24-01OH20115 – Section C Work Scope Definition:

C.3.3 Environment, Safety and Health (ES&H) Program
The Contractor shall maintain an ES&H program to ensure the protection of the workers, the public and the environment. The Contractor's ES&H program shall be operated as an integral, but visible, part of how the Contractor conducts business. This includes prioritizing work planning and execution, establishing clear ES&H priorities, allocating resources to address programmatic and operational considerations, collecting and analyzing samples, correcting non-compliances and addressing all hazards for all FCP facilities, operations and work. The Contractor shall ensure that cost reduction efforts and efficiency efforts are fully compatible with ES&H performance.

In addition to ES&H requirements defined above and in other Sections of the Contract, the Contractor shall:

- Provide training to both Contractor and DOE employees as required by OSHA, DOE and DOT. Provide all safety and health personal protective equipment for both Contractor and DOE employees at the FCP.
- Report subcontractor ES&H as part of overall ES&H statistics.
- Promptly evaluate, report to DOE and external regulators, and resolve any non-compliance with ES&H requirements and the ISMS.
- Maintain the operational controls as defined in the current Basis for Interim Operations (BIOs) originally approved by EM-1 in 1996 and subsequently updated and approved by the Ohio Field Office Manager (April 2002) until such time as the facility/operational classification can be officially downgraded.
- Contractor will be responsible for obtaining and maintaining necessary permits or licenses. DOE does not intend to be an operator for any permits. DOE in conjunction with the Contractor will be directly responsible for day-to-day interactions with regulatory agencies regarding permit and environmental compliance related issues, including negotiating of fines and penalties. The Contractor will be solely responsible for paying fines and penalties assessed against DOE, which are the result of Contractor actions. The Contracting Officer reserves the right to unilaterally determine if the Contractor was responsible for the fine(s) levied against DOE.

Definition of completion:

- This is a project support activity and is used to define the manner in which physical work is conducted (in a safe and compliant manner). An ES&H program as described in C.3.3 of the contract will no longer be required of Fluor Fernald after Physical completion has been achieved.
- There is nothing in this scope of work that must be completed as a prerequisite to the declaration that the FCP has been physically completed.

Documents used to demonstrate completion

NA

Activities transferred to the legacy management phase:

- PL-3081, FCP Safety Management System Description (SMSD), Rev 7, 3/22/2004, safety basis documents and other safety related documents (e.g. Job Safety Analysis) for continuing site operations post physical completion will be made available to the legacy management contractor.
- The regulatory environment in which the legacy management contractor will have to conduct operations is described in Section A of this plan.

Activities Continuing During Contract Closeout Phase:

None

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| MATRIX TABLE B.2-8 |
|---|
| Contract DE-AC24-01OH20115 – Section C Work Scope Definition:<br><br>C.3.4 Records Management<br><br>The Contractor shall provide a records management program compliant with the DOE Guidance 1324.5B, and the OFO Records Management Program Management Guide dated March 2001. All records subject to the management of the Contractor are to be inventoried, scheduled and dispositioned in accordance with an approved Records Management Plan. Legacy records (records created or acquired prior to December 1, 1992) will be stored, safeguarded and transferred to DOE; or a Contractor designated by DOE, prior to the end of this contract.<br><br>Records required for post-physical completion legacy management will be managed by the Contractor until transferred. This includes, Geographic Information System, Fernald Environmental Information Management System, and CERCLA Reading Room documents. The Contractor shall provide a complete records inventory list in a hard copy and electronic format to the post-closure records custodian identified by the Contracting Officer. The Contractor shall provide a Reading Room through Site Closure to the extent required by CERCLA. |
| Definition of completion:<br><br>Records disposition will not be complete at the time of the declaration of physical completion. Fluor Fernald will provide a complete records inventory list in a hardcopy and electronic format to DOE-LM or the post-physical completion records custodian identified by the Contracting Officer. Fluor Fernald will provide a Reading Room through Physical completion to the extent required by CERCLA. Fluor Fernald has provided DOE its Plan for archiving and disposition of records and will provide DOE monthly updates on the status of the implementation of the Plan. The Plan demonstrates Fluor Fernald's good faith effort to archive and disposition records. Fluor Fernald will disposition the bulk of the records prior to the Declaration of Physical Completion. Records needed for correction of material deficiencies identified by DOE, personnel records related to FOIA, Privacy Act, and EEOICPA, or contract closeout activities after the Declaration of Physical Completion will be transitioned according to the records Task Transfer Tool. Fluor Fernald expects to disposition all other records within 180 days after DOE acceptance of the Declaration of Physical Completion. Even after records have been archived, it may become necessary for Fluor Fernald to access records for the purposes of litigation or administrative claims resolution. |
| Documents used to demonstrate completion<br><br>• Inventory list of records dispositioned in hard copy and electronic form.<br>• Inventory list identifying Records required to support DOE-LM in hard copy and electronic form. |
| Activities transferred to the legacy management phase:<br><br>• Maintaining inventory lists of all FCP records dispositioned<br>• Managing information requests by Regulators and Stakeholders<br>• Management of records that are required to support legacy management.<br>• Programs related to FOIA, Privacy Act, and EEOICPA<br>• Records generated post declaration of physical completion |
| Activities Continuing During Contract Closeout Phase:<br><br>• Disposition of any records not dispositioned at the time of the declaration that the FCP has been physically completed as defined above. In addition, Fluor Fernald will have to arrange access to records and other information relevant to existing or anticipated legal proceedings during the closeout period. Records not accepted by DOE will have to be maintained. Contractor owned records will be dispositioned. |

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| MATRIX TABLE B.2-9 |
|---|
| Contract DE-AC24-01OH20115 – Section C Work Scope Definition:<br><br>C.3.5 Safeguards and Security<br><br>The Contractor shall ensure adequate levels of protection against unauthorized access; loss or theft of Government property; and other hostile acts that may cause unacceptable adverse impacts on national security or the health and safety of DOE and Contractor employees, the public, or the environment. In accordance with the Fernald Closure Contract, Safeguards and Security scope is driven by the following requirements:<br>• DOE O 470.1, Safeguards and Security Program<br>• DOE CRD N 471.3 Reporting Incidents of Security Concern<br>• DOE O 472.1B, Personnel Security Activities<br>• DOE O 473.2 Protective Force Program<br>• DOE 5632.1C Protection and Control of Safeguards and Security Interests |
| Definition of completion:<br><br>The scope of Safeguards and Security includes maintenance of the procedural and physical infrastructure required to provide safeguards and security support to all site activities. There is no specific completion criterion of this scope of work. The personnel, and infrastructure to be maintained in support of the expected level of site activity will be documented and submitted for DOE COR approval through annual updates of the Fernald Physical Protection Plan, in accordance with DOE Order 470.1. These updates will document the process through which, as certain services become unnecessary, they are eliminated and removed from service to the point that only those services necessary for support during legacy management of the site are all that remain. |
| Documents used to demonstrate completion<br><br>None |
| Activities transferred to the legacy management phase:<br><br>The physical Safeguards and Security infrastructure (fencing, postings, etc.,) to support legacy management are outlined in Section B.1 of the CE/T Plan. DOE's legacy management contractor will develop their own security program to ensure the requirements of the Comprehensive Legacy Management and Institutional Controls plan are achieved. |
| Activities Continuing During Contract Closeout Phase:<br><br>None |

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| MATRIX TABLE B.2-10 |
|---|
| Contract DE-AC24-01OH20115 – Section C Work Scope Definition:<br><br>C.3.6 Innovative Technology Programs<br><br>The Contractor may request (through the Contracting Officer) assistance from the Office of Science and Technology to support accelerated closure. Technical assistance can be provided to help identify necessary technologies and solutions and, under certain circumstances, to help with their deployment to reduce project and schedule risk and enable safe accelerated closure. Assistance can be in the form of technical support to review the FCP and identify new and innovative technologies or to assist with capital funding to share implementation costs for new technologies. Any impact resulting from technology deployment initiatives will not relieve the Contractor from any cost or schedule commitments under this contract. |
| Definition of completion:<br><br>This has been an ongoing activity in support of remedial activities through physical completion. This function will be closed at or before Physical completion. |
| *Documents used to demonstrate completion*<br><br>None. |
| Activities transferred to the legacy management phase:<br><br>While DOE's legacy management contractor may avail themselves of this opportunity, there is no specific activity to be transferred. |
| Activities Continuing During Contract Closeout Phase:<br><br>None. |

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| MATRIX TABLE B.2-11 |
|---|
| Contract DE-AC24-01OH20115 – Section C Work Scope Definition:<br><br>C.4 DOE Support<br><br>The Contractor shall provide on-site office space, furniture, equipment and supplies for up to 40 DOE and support services contractor personnel. The Contractor shall also provide on-site services to DOE including custodial services, daily mail delivery, computer support, telecommunications, printing, audiovisual support and moving equipment and furniture. This support shall be provided until such time as DOE personnel are relocated off-site in accordance with the approved Comprehensive, Exit/Transition Plan. The Contractor shall support DOE by providing records when requested.<br><br>The Contractor shall support the Energy Employee Occupational Injury Compensation Program Act (EEOICPA) of 2000 with separate funding provided by DOE. Upon request by the DOE, the Contractor shall verify employment histories and provide medical records, radiation dose records, and any other records related to or pertinent to the condition or case for any individual who applies for compensation under the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA), Public Law 106-398, 42 U.S.C. 7384, et seq. When directed by the DOE, the Contractor shall not contest a state workers' compensation claim or award determined to be valid pursuant to Subtitle D of the EEOICPA. The EEOICPA costs shall not be funded with EM funds, and the Contractor shall separately track EEOICPA costs and provide a monthly claims activity report of funds spent on EEOICPA claims processing. |
| Definition of completion:<br><br>• This is not a part of the declaration that the FCP has been physically completed.<br>• This statement of work element for "DOE support" will end with DOE's acceptance of Fluor Fernald's declaration that the FCP has been physically completed, at which point Fluor Fernald will enter the Contract Closeout phase.<br>• Contract closeout will not include DOE support costs; it is assumed for this CE/T Plan that any additional DOE support costs beyond the baseline closure date and acceptance of Fluor Fernald's declaration that the FCP has been physically completed, will be borne by the DOE-LM contractor.<br>• Post Closure Liabilities for EEOICPA items will become part of the estimate under PBS 14 – Post Closure Administration. |
| Documentation used to demonstrate completion:<br><br>• DOE's acceptance of Fluor Fernald's declaration that the FCP has been physically completed, which moves the site into the Contract Closeout phase and ends Fluor Fernald's participation in the this statement of work element.<br>• DOE's acceptance of the PBS 14 schedule and budget estimate, which will address EEOICPA items as needed. |
| Activities transferred to the legacy management phase:<br><br>None |
| Activities Continuing During Contract Closeout Phase:<br><br>None |

Section B.2: Contract Compliance Matrix
Statement of Work Elements Unrelated to the Declaration that the FCP Has Been Physically Completed

MATRIX TABLE B.2-12

Contract DE-AC24-01OH20115 – Section C Work Scope Definition:

C.5 Public Involvement and Stakeholder Interaction
It is the policy of the DOE to be a constructive partner in the geographic region in which DOE conducts its business. The basic elements of this policy include: (1) recognizing the interests of the region and its stakeholders, (2) engaging regional stakeholders in issues and concerns of mutual interest, and (3) recognizing that giving back to the community is a worthwhile business practice. Accordingly, the Contractor is encouraged to conduct its business operations and performance under the contract consistent with the intent of this policy and in accordance with the language below.

In coordination with DOE, the Contractor shall be responsible for maintaining and building upon FCP relationships and programs regarding public involvement and stakeholder interaction, as well as internal communications. These activities have been, and will continue to be, critical elements in the success of FCP remediation activities. Fundamental values of these programs will include: candor, consistency, open communication, and proactive solicitation of stakeholder input to and participation in the decision-making process. Mechanisms to accomplish the goal of public involvement and stakeholder interaction may include: public meetings, project status briefings, separate committee meetings, tours, workshops, presentations, the Fernald Envoy program, and other forums for discussions. The frequency of these interactions will be as needed to foster clear understanding and agreement concerning site activities.

In addition to its own employees, key stakeholder organizations and groups with which the Contractor will maintain and build upon effective interactions and relationships include:

- The Fernald Citizens Advisory Board (CAB)
- The Fernald Community Reuse Organization (CRO)
- The Natural Resources Trustees (NRTs)
- The Fernald Residents for Environmental Safety and Health (FRESH)
- The Fernald Atomic Trades and Labor Council (FAT&LC)
- The International Guards Union of America (IGUA)
- The Greater Cincinnati Building and Construction Trades Council (GCBCTC)
- Crosby, Morgan, and Ross Township Trustees
- Crosby Township Historical Society
- Fernald Living History, Inc.
- Local media and trade press

The Contractor shall engage in cooperative interactions through and with these organizations in performance under this contract. All interactions and costs occasioned thereby with these organizations, the media, and other interested parties, will be coordinated with DOE Contracting Officer.

Definition of completion:

- Fluor Fernald will end its public involvement and stakeholder participation program once DOE accepts Fluor Fernald's declaration that the FCP has been physically completed. At that time, the baseline closure date will have been achieved, and Fluor Fernald will enter the contract closeout phase, and activities under Section C.5 will cease.
- There is nothing in this scope of work that must be completed as a prerequisite to the declaration that the FCP has been physically completed.
- It is recognized that some of these activities may be assumed by DOE or discontinued prior to physical completion

Documents used to demonstrate completion:

- None.

Activities transferred to the legacy management phase:

- Once DOE accepts Fluor Fernald's declaration that the FCP has been physically completed, DOE will be responsible for the management of all remaining public involvement and stakeholder interaction activities. DOE's Community Involvement Plan is contained in the Legacy Management & Institutional Controls Plan.

Activities Continuing During Contract Closeout Phase:

- None.

# SECTION C – DECLARATION PROCESS

## Introduction

Section C of the CE/T Plan presents Fluor Fernald's strategy for conducting "preliminary declarations of work completion" in accordance with Contract Clause F.6, and identifies the relationship of these preliminary declarations to Fluor Fernald's declaration "that the FCP has been physically completed." Section C.1 of the CE/T Plan presents how these declarations are made by Fluor Fernald and reviewed by DOE and the proposed timing of these declarations. Section C.2 of the CE/T Plan introduces the contractually required Contract Closeout Plan and the timing of its submission.

## C.1 Declaration Strategy

This section outlines the strategy for preparing preliminary declarations of work completion as major areas of work are completed and the strategy for the Declaration of Physical Completion of the FCP in accordance with Contract Clause F.6.

The Declaration of Physical Completion is built around the use of preliminary declarations of work completed within the four requirements identified for the End State in Contract Clause C.1.2. Fluor Fernald's Declaration of Physical Completion for the FCP will be based primarily on the completion of all the preliminary declarations. Any work scope that has not undergone a review through the preliminary declaration process will be specifically identified in Fluor Fernald's Declaration of Physical Completion.

The four requirements (paraphrased from the complete descriptions in Clause C.1.2 of the Prime Contract) for achieving the End State are:

- All work required by the five Records of Decision with the exception of ground water and associated soils and facility demolition
- Restoration of the site as defined in the January 2002 Draft of the Natural Resources Restoration Plan
- The installation of the Long-Term Stewardship (LTS) infrastructure and submittal of a plan that identifies the required LTS activities (Note: LTS is also referred to as legacy management in this document)
- The submittal of and acceptance by DOE of the final/interim Remedial Action Reports

The preliminary declarations of completion will be submitted as follows:

- As physical work is completed as outlined below for specific OU projects:
    1) For OU-1:Waste Pits when the items defined in Section C.1.1.1 are completed
    2) For OU-2: Other Waste Landfills when the items defined in Section C.1.1.2 are completed
    3) For OU-3: Facility D&D as items defined in Section C.1.1.3 are completed by area/sub area
    4) For OU-4: Silos Waste as work scope is completed for each of the three phases (Ref. Section C.1.1.4 for details)

5) For OU-5: Soils Remediation as items defined in Section C.1.1.4 are completed by area/subs area

6) For OU-5: On-Site Disposal Facility as items defined in C.1.1.1.5 are completed for each individual cell

- After completion and approval of the LTS Plan (Legacy Management Institutional Control Plan) and completion of the LTS infrastructure outlined in Section C.1.3. of this document.
- Using phased submittals of Final/Interim Remedial Action Reports as outlined in Section C.1.4 of this document.

The end state infrastructure will be outlined in one of three maps (Map 1, 2, or 3) as identified in Table C.1. Map 4 identifies the declaration areas/sub area used for D&D, soils remediation, and natural resource restoration. Attachment 6: Declaration Area List is a cross-reference matrix of the areas/sub areas used for D&D, Soils Remediation and Natural Resource Restoration preliminary declarations and phased submittals of the Final/Interim Remedial Action Reports.

**Table C.1 – End State Infrastructure Maps**

| Drawing No. | Title | Purpose |
|---|---|---|
| Map 1 | FCP Post-Closure Site Map 1: Monitoring, Extraction and Injection Wells | Identify all active and inactive (IEMP and OSDF) monitoring, extraction and injection wells that will be in place at the physical completion of the FCP |
| Map 2 | FCP Post-Closure Site Map 2: Water – Related Infrastructure | Identify above and below structures and utilities that are related to the on-going aquifer remediation, water treatment facilities, and OSDF leachate and leak detection system |
| Map 3 | FCP Closure Site Map 3: Miscellaneous Infrastructure | Remaining structures, site roads and parking, fencing, culverts, etc. |
| Map 4 | FCP Declaration Area Map | Declaration areas used for D&D, soil remediation, and natural resources Preliminary Declaration of Physical Completion |

The review concept for Preliminary Declarations of Physical Completion for projects (OU1 and OU2) or areas/phases within a project (OU3, OU4 and OU5) is based on a predetermined checklist approach that outlines the elements to achieve physical completion for the End State Requirements (Contract Clause C.1.2) and the associated scopes of work as defined in Contract Clause C.2. Fluor Fernald will declare that all of the items on a checklist (ref. C.1.1 through C.1.8) have been completed for that area/sub area or phase of the project and will issue a Preliminary Declaration of Physical Completion. DOE will review and determine if the Preliminary Declaration of Physical Completion is acceptable. If DOE determines that the Declaration is acceptable, DOE will provide a punch list, if needed, of material deficiencies related to the specific preliminary declaration under consideration. The costs for correcting any punch-list items generated from a preliminary declaration will be reimbursable as specified in Clause F.6. .

The schedule for Preliminary Declarations of Physical Work Completion is shown in Table C.2.

**Table C.2 - Schedule For Preliminary Declarations Of Work Completion**

| Submittal and Walk Down | Date |
|---|---|
| First Preliminary Declaration | April 2005 |
| Second Preliminary Declaration | June 2005 |
| Third Preliminary Declaration | August 2005 |
| Fourth Preliminary Declaration | Beginning October 2005 As area is completed |
| Balance Preliminary Declaration | March 31, 2006 |
| Declaration of Physical Completion Letter | March 31, 2006 |

The preliminary declaration reviews will consist of a field tour by the participating Fluor Fernald and DOE entities for verification of physical completion and review of any necessary documentation. When a Preliminary Declaration of Physical Completion is made, DOE's acceptance and any list of punch list items will be provided to Fluor Fernald within 14 calendar s days. The specific approach for each of the four End State Requirements and the associated specific scopes of work are outlined in the following sections. After Fluor Fernald corrects any material deficiencies, DOE's acceptance of a Preliminary Declaration of Physical Completion is final and will not be reviewed again unless Fluor Fernald contributes to a material change in the basis of the Preliminary Declaration of Physical Completion.

## C.1.1. Declaration Approach for Physical Completion for Operable Units

C.1.1.1 Waste Pits (OU1)

A walk down and review of pertinent documentation of the Waste Pits project at the time the work is complete will verify that the pit material removal has been completed and shipped per the ROD requirements. This declaration will not include soil remediation below the Waste Pits which is included in OU5 - Soils remediation, removal of stockpiled above WAC material, which is included in OU5 Soils remediation, or D&D of any facilities which is included in OU3 – Facility D&D. The Interim Declaration Checklist – C.1.1.1: Verification of Waste Pit Material Removal and Shipping Completion will be used to document this completion.

C.1.1.2 Other Waste Landfills (OU2)

A walk down and review of pertinent documentation of the entire project will verify that the work has been completed and the Waste Landfills have been removed and disposed either in the OSDF or at an off-site location. The Interim Declaration Checklist – C.1.1.2: Verification of Other Waste Unit Material Removal and Disposition Completion will be used to document this completion.

C.1.1.3 Above Grade Facility D&D and Legacy Waste/Nuclear Material Disposition (part of OU3)

The purpose of the D&D part of the walk down and document review is to verify that the above ground manmade structures have been demolished, removed from the area for disposal and those above ground

structures that are to remain are documented on Map 3. Also included is a walk down and review of pertinent documentation to verify no containerized low level or mixed waste, or nuclear product remains in the area. D&D associated with the Aquifer Treatment facility (Area 7 G) will be excluded from this walk down and be carried as an on going remedy in OU5. The verifications will be done by areas/sub areas as outlined in Attachment 6. The Interim Declaration Checklist – C.1.1.3: Area Verification of D&D Activities will be used to document the completion of each area. This declaration process will begin in April 2005 and continue on a phased basis as outlined in Table C.2 of this document.

C.1.1.4 Silos Waste (OU4)

A walk down and document review of the Silos project will occur at the time the work is complete for each of the following three phases: (Phase 1) Waste has been removed from Silo's 1 & 2 and the actual Silos 1 & 2 structures have been removed; (Phase 2) Silo 3 waste material has been removed, treated, packaged and shipped; (Phase 3) Silo's 1 & 2 waste material has been treated, packaged and shipped.. This declaration will not include Soil remediation (OU5), D&D of any Silos treatment facilities (OU3), or D&D of Silo 3 (OU3). The Interim Declaration Checklist – C.1.1.4: Verification of Silos Material Removal and Shipping Completion will be used to document these completions.

C.1.1.5 Soils Remediation (OU5) and below grade D&D

There are nine declaration areas each with sub areas as outlined in Attachment 6.. Either a declaration area or a declaration sub area will be identified for the Preliminary Declaration of Physical Completion for the Soil Remediation part of OU5. The purpose of the soils remediation walk down will be to verify that soils excavation for remediation has been completed, the below ground manmade structures have been removed and disposed, the final certification has been completed, rough grading for final contour has been completed, and those below grade structures that are to remain are documented on Map 1, 2 or 3. Soils remediation associated with the Aquifer Treatment facility (Area 7-G) will be excluded from this walk down and be carried as an on going remedy in OU5. Interim Declaration Checklist – C.1.1.5.: Area Verification of Soils Excavation Completion will be used to document the completion of each area. This declaration process will begin in April 2005 and continue on a phased basis as outlined in Table C.2 of this document.

C.1.1.6 On-Site Disposal Facility (OU5)

A walk down and document review of each of the eight cells at the time the cell is completed will verify that the cell as been constructed per the design. In addition there will be a separate walk down of the OSDF infrastructure (e.g., fencing and leachate system) to verify construction of the infrastructure has been completed, and the OSDF cell construction and infrastructure has been documented on Map 3. Check List C.1.1.6 Physical Completion of the OSDF infrastructure will be used to document the OSDF infrastructure completion. This process will begin in April 2005 and continue on a phased basis as each cell is completed.

C.1.1.7 Groundwater Restoration (OU5)

A walk down and document review of all extraction, injection, monitoring, and construction wells; the leachate system and associated structures; the road system to the wells, and the CAWWT facilities will verify that the remaining structures associated with groundwater restoration and wells are documented on Map 1 and 2, that a set of drawings has been provided to DOE for the remaining structures and well

systems, and the system is operating successfully. Since groundwater remediation is an on going remedy, completion is not required of the remedy, demolition of the associated structures, or soil remediation associated with these structures. Interim Declaration Checklist – C.1.1.7: For Completion of CAWWT & Aquifer System will be used to document this walk down. This declaration will take place no later than 3 months prior to the projected physical completion date or phased turnover to LM which ever comes first.

**C.1.2. Declaration Approach for Natural Resource Restoration**

There are nine declaration areas each with sub areas as outlined in Attachment 6. Either a completed declaration area or sub area will be utilized for walk down purposes. The purpose of the natural resource restoration walk down will be to verify that the area has been graded to the final contour drawing, the area has been restored per the January 2002 Natural Resources Restoration Plan remediation. Areas associated with the Aquifer Treatment facility (Area 7-G) will be excluded from this walk down and be carried as an on going remedy in OU5. Interim Declaration Checklist – C.1.1.8: Area Verification of Natural Resource Restoration Completion will be used to document the completion of each area. This declaration process will begin in April 2005 and continue on a phased basis as outlined in Table C.2 of this document.

**C.1.3. Declaration Approach for Installation of LTS Infrastructure and LTS Plan Requirements**

This declaration will consist of two phases. Phase I will be the submittal and acceptance of the LMICP plan requirements as defined in paragraph four of Section C.3.7 of the Prime Contract. Phase II will be a walk down of the completed LTS infrastructure. This section excludes the groundwater structures covered in Section C.1.1.7 of this document. Phase II will be documented on Check List Number C.1.3, and shown on Map 3.

**C.1.4. Declaration Approach for Final/Interim Remedial Action Reports and Associated Documentation**

The declaration will be a phased approach by OU. The initial Preliminary Declaration of Physical Completion will include all of the narrative outlined in Table C-3 and the specific information for the work completed to the date of the first submittal. Subsequent preliminary submittals will add the necessary information in Sections IV, VI VIII, and Appendix A by completing Attachments 1 through 5 (as is applicable) as each new soil excavation area/ sub area is finished, as natural resources for an area/sub area are accomplished, as each cell is completed, as D&D is completed within an area, or a Silo phase is finished. Details for the submittal for the various sections are shown in Table C-3.

The use of phased reports will provide for an orderly declaration approach and avoid a one time major submittal involving OU3, OU4 and OU5 at physical completion of the FCP. This will result in the following reports:

- OU1: Waste Pits Final Remedial Action Report
- OU2: Other Waste Landfills Final Remedial Action Report
- OU3: Facility D&D and Containerized Legacy Waste/Nuclear Product Final Remedial Action Report
- OU4: Silos Waste Final Remedial Action Report
- OU5: Interim Remedial Action Report: Section I - Site Wide Soils and Sediment

- OU5: Section II - On-Site Disposal Facility
- OU5: Section III- Aquifer Restoration

**Table C-3 – Remedial Action Report Contents**

| Section | Approach For OU5 Soils, OU5 OSDF And OU3 D&D |
|---|---|
| I. Introduction | Include with first submittal – No updates required |
| II. Operable Unit Background | Include with first submittal – No updates required |
| III. Construction Activities | Include with first submittal – No updates required |
| IV. Chronology of Events | • Narrative: Include with first submittal – No narrative updates required<br>• Actual dates for each soil area/sub area are submitted at time of area completion using Att. 1<br>• Actual dates for each cell are submitted at time of cell completion using Att. 2<br>• Actual dates for each D&D area/ sub area are submitted at time all the complexes are completed within the area using Att. 3<br>• Actual dates for each restoration area/sub area are submitted at time of area completion using Att. 4<br>• Actual dates for each Phase of the Silos work are submitted at the time the phase is completed using Att. 5 |
| V. Performance Standards and Construction Quality Control | Include with first submittal – No updates required |
| VI. Final Inspection and Certifications | • Narrative: Include with first submittal – No narrative updates required<br>• Final Certification Report Number for each area/sub area is submitted to DOE at time of area completion using Att. 1<br>• CQC Liner & Cap Report for each cell are submitted to DOE at time of cell completion using Att. 2<br>• D&D Area Complex Completion Report for each area/sub area is submitted to DOE at time all the complexes are completed within the area Att. 3<br>• Natural Resource Completion Report for each area/sub area is submitted at time of area completion using Att. 4<br>• A Completion letter for each Phase of the Silos work is submitted at the time the phase is completed using Att. 5 |

**Table C-3 – Remedial Action Report Contents**

| Section | Approach For OU5 Soils, OU5 OSDF And OU3 D&D |
|---|---|
| VII. Operations and Maintenance Activities | Include with first submittal – No updates required |
| VIII. Summary of Project Costs | • Narrative: Include with first submittal – No narrative updates required<br>• Cost for each area is submitted to DOE at time of area completion using Att. 1<br>• Cost for each cell is submitted to DOE at time of cell completion using Att. 2<br>• Cost for D&D of each area is sum of all of the complexes within an area and are submitted to DOE at time all the complexes are completed within the area using Att. 3<br>• Cost for each restoration area/sub area is submitted at time of area completion using Att. 4<br>• Cost for each Phase of the Silos work is submitted at the time the phase is completed using Att. 5 |
| IX. Observations | Include with first submittal – No updates required |
| X. Operable Unit Contact Information | Include with first submittal – No updates required |
| Appendix A: Cost and Performance Summary | • Narrative: Include with first submittal – No narrative updates required<br>• Cost for each area is submitted to DOE at time of area completion using Att. 1<br>• Cost for each cell is submitted to DOE at time of cell completion using Att. 2<br>• Cost for D&D of each area is sum of all of the complexes within an area and are submitted to DOE at time all the complexes are completed within the area using Att. 3<br>• Cost for each restoration area/sub area is submitted at time of area completion using Att. 4<br>• Cost for each Phase of the Silos work is submitted at the time the phase is completed using Att. 5 |
| Appendix B: Schematic of Treatment Systems | Include with first submittal – No updates required |
| Appendix C: HWMU | Include with first submittal – No updates required (Note: All are closed at this time) |
| Appendix D: Removal Actions | Include with first submittal – No updates required<br>(Note: All are closed at this time) |

**Table C-3 – Remedial Action Report Contents**

| Section | Approach For OU5 Soils, OU5 OSDF And OU3 D&D |
|---|---|
| Appendix E: Identification of Legal Agreement Requirements Specific to the Operable Unit and their Disposition | If applicable include with first submittal – No updates required unless new legal agreements are set forth |
| Appendix F: List of References and USEPA & OEPA Approved Documents | Include with first submittal – No updates required |

## C.2 Contract Closeout Plan Strategy

The date of Fluor Fernald's letter declaring the FCP has been physically completed will, once accepted as reasonable by DOE, stop the contractual "clock" for cost and schedule incentive fee determination purposes. Once DOE accepts Fluor Fernald's declaration as reasonable, Fluor Fernald's remaining administrative and programmatic closeout work will move into the contract closeout phase governed by the Contract Closeout Plan, required by Contract Clause F.7, and its accompanying schedule and budget.

The Contract Closeout Plan will be submitted to DOE six months prior to Declaration of Physical Completion.

**Attachment 1 – Soils Remediation Attachment For Section IV, VI VII And App. A**

**Rev._____, Date_____**

| Area* | Sub Area | Preliminary Declaration Submittal Date | Physical Completion Date | Certification Report No. | Cert. Report Submittal To Doe Date | Area Remediation Cost ($Xm) |
|---|---|---|---|---|---|---|
| Area 1 | Phase I | | | | | |
| | Phase II | | | | | |
| | Phase III | | | | | |
| | Phase IV | | | | | |
| | Phase V | | | | | |
| Area 2 | Phase I | | | | | |
| | Phase II | | | | | |
| | Phase III | | | | | |
| Area 3A | Area 3A | | | | | |
| | Area MDC - 3A - 1 | | | | | |
| | Area MDC - 3A - 2 | | | | | |
| Area 3B | Area 3B | | | | | |
| | Area MDC - 3B | | | | | |
| | Area MDC – N | | | | | |
| Area 4A | Area 4A | | | | | |
| | Area MDC – 2nd St | | | | | |
| | Area MDC – 4A | | | | | |
| Area 4B | Area 4B | | | | | |
| | Area MDC-S | | | | | |
| Area 5 | Area – ADM | | | | | |

**Attachment 1 – Soils Remediation Attachment For Section IV, VI VII And App. A**

**Rev._____, Date_____**

| Area* | Sub Area | Preliminary Declaration Submittal Date | Physical Completion Date | Certification Report No. | Cert. Report Submittal To Doe Date | Area Remediation Cost ($Xm) |
|---|---|---|---|---|---|---|
| | Area – Prod | | | | | |
| | Area – MDC – 1st St | | | | | |
| | Area WPL | | | | | |
| | Area EPL | | | | | |
| Area 6 | Area 6A | | | | | |
| | Area 6B | | | | | |
| | Area 6C | | | | | |
| | Area 6H | | | | | |
| | Area 6I | | | | | |
| | Area 6D | | | | | |
| | Area 6E | | | | | |
| | Area 6G | | | | | |
| | Area 6K | | | | | |
| | Area 6J | | | | | |
| | Area 6L | | | | | |
| | Area Paddy's Run WP | | | | | |
| Area 7 | Area 7A | | | | | |
| | Area 7B | | | | | |
| | Area 7C | | | | | |
| | Area 7D | | | | | |
| | Area 7E | | | | | |
| | Area 7F | | | | | |
| | Area 7G | | | | | |

**Attachment 1 – Soils Remediation Attachment For Section IV, VI VII And App. A**

**Rev._____, Date_____**

| Area* | Sub Area | Preliminary Declaration Submittal Date | Physical Completion Date | Certification Report No. | Cert. Report Submittal To Doe Date | Area Remediation Cost ($Xm) |
|---|---|---|---|---|---|---|
| | Area 7H | | | | | |
| | Area 7I | | | | | |
| | Area 7J | | | | | |
| | Area 7K | | | | | |
| Area 8 | Phase 1 | | | | | |
| | Phase 2 | | | | | |
| | Phase 3 | | | | | |
| Area 9 | | | | | | |
| Paddy's Run | | | | | | |

* Excludes all facilities and infrastructures shown on Maps in Table C-1

**Excludes Aquifer treatment facilities and associated infrastructure

* Excludes all facilities and infrastructures shown on Maps in Table C-1

**Excludes Aquifer treatment facilities and associated infrastructure

1

2

**Attachment 2 – OSDF Cell Construction Attachment For Section IV, VI VII And App. A**

**Rev._____, Date_____**

| Area | Preliminary Declaration Submittal Date | Physical Completion Date | CQC Liner & Cap Report No. | CQC Report Submittal To DOE Date | Cap & Liner Const. Cost ($xM) |
|---|---|---|---|---|---|
| Cell 1 | | | | | |
| Cell 2 | | | | | |
| Cell 3 | | | | | |
| Cell 4 | | | | | |
| Cell 5 | | | | | |
| Cell 6 | | | | | |
| Cell 7 | | | | | |
| Cell 8 | | | | | |
| OSDF Infra. | | | | | |

3

4

| Attachment 3 OU3 D&D Area Remediation for Section IV, VI, VII and Appendix A<br>All costs in Millions | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Area** | **Sub Area** | **Complexes in Area** | **Preliminary Declaration Submittal Date** | **D&D Complex Physical Completion Date** | **D&D Completion Report Number** | **Completion Report Submittal Date** | **D&D Complex Actual Cost as of Oct04** |
| **Area 1** | Area 1-Ph.I | + Trailers, Sm. Structures and Debris | | | | | |
| | Area 1-Ph.II | + Trailers, Sm. Structures and Debris | | | | | |
| | Area 1-Ph.III | + Trailers, Sm. Structures and Debris | | | | | |
| | Area 1-Ph.IV | +Sewage Treatment Plt. + Trailers, Sm. Structures and Debris | | | | | |
| | Area 1-Ph.V | + Trailers, Sm. Structures and Debris | | | | | |
| **Area 2** | Area 2-Ph.I | + Trailers, Sm. Structures and Debris | | | | | |
| | Area 1- Ph.II | **+ Trailers, Sm. Structures and Debris** | | | | | |
| | Area 1-Ph.III | +New RIMIA **+ Trailers, Sm. Structures and Debris** | | | | | |
| **Area 3A** | +Area 3A<br>+Area MDC -3A-1<br>+Area MDC-3A-2 | Thorium Plant | | | • | | |
| | | Plant 9 Complex | | | • | | |
| | | Maintenance Complex | | | • | | |
| | | Boiler Plant Complex | | | • | | |
| | | Trailers, Sm. Structures and Debris | | | • | | |
| **Area 3A IROD Subtotal** | | | | | | | |
| **Area 3B** | + Area 3B<br>+ Area MDC-3B<br>+Area MDC-N | Tank Farm Complex | | | • | | |
| | | Plant 1 Ph1 Complex | | | | | |
| | | Plant 1 Ph2 Complex | | | | | |
| | | Trailers, Sm. Structures and Debris | | | | | |
| **Area 3B IROD Subtotal** | | | | | | | |

**Attachment 3 OU3 D&D Area Remediation for Section IV, VI, VII and Appendix A**
**All costs in Millions**

| Area | Sub Area | Complexes in Area | Preliminary Declaration Submittal Date | D&D Complex Physical Completion Date | D&D Completion Report Number | Completion Report Submittal Date | D&D Complex Actual Cost as of Oct04 |
|---|---|---|---|---|---|---|---|
| Area 4A | +Area 4A | Plant 4 Complex | | | | | |
| | +Area MDC-4A | Plant 5 Complex | | | | | |
| | +Area MDC-2ND. St | Plant 6 Subtotal | | | | | |
| | | Trailers, Sm. Structures and Debris | | | | | |
| IROD Area 4A Subtotal | | | | | | | |
| Area 4B | +Area 4B | General Sump | | | | | |
| | | Lab Phl & Ph2 | | | | | |
| | +Area MDC-S | Liquid Stg Complex | | | | | |
| | | Pilot Plant Complex | | | | | |
| | | Blg 68 | | | | | |
| | | Plant 8 Complex | | | | | |
| | | Plant 2 Complex | | | | | |
| | | Plant 3 Complex | | | | | |
| | | Trailers, Sm. Structures and Debris | | | | | |
| Area 4B IROD Subtotal | | | | | | | |
| Area 5 | + Area ADM | OU3 Security/IR Bldg | | | | | |
| | +Area PROD | OU3 Health & Safety Blg | | | | | |
| | +Area MDC-1st. St. | Trailers, Sm. Structures and Debris | | | | | |
| | +Area WPL | | | | | | |
| | +Area EPL | | | | | | |
| Area 5 IROD Subtotal | | | | | | | |

**Attachment 3 OU3 D&D Area Remediation for Section IV, VI, VII and Appendix A**
**All costs in Millions**

| Area | Sub Area | Complexes in Area | Preliminary Declaration Submittal Date | D&D Complex Physical Completion Date | D&D Completion Report Number | Completion Report Submittal Date | D&D Complex Actual Cost as of Oct04 |
|---|---|---|---|---|---|---|---|
| Area 6 | Area 6-Ph.1<br>+Area 6A<br>+Area 6B<br>+Area 6C<br>+Area 6F<br>+Area 6H<br>+Area 6I | + Trailers, Sm. Structures and Debris | | | | | |
| | Area 6-Ph.II<br>+Area 6D<br>+Area 6E | +OU3 East Warehouse Complex<br>+Trailers, Sm. Structures and Debris | | | | | |
| | Area 6-Ph.III<br>+Area 6G<br>+Area 6J<br>+Area 6K<br>+Area 6L<br>+Area Paddys Run WP | +OU1 WPRAP Complex - 65 structures<br>+Trailers, Sm. Structures and Debris | | | | | |
| **Area 6 IROD Subtotal** | | | | | | | |
| Area 7 | Area 7-Ph.1<br>+ Area 7A<br>+Area 7B<br>+Area 7C | OU4 Silos<br>+ Silos 1,2,3<br>+Silo 3 Treat. Fac. | | | | | |
| | Area 7-Ph.II<br>+Area 7D<br>+Area 7E<br>+Area 7F | OU4 Silos<br>+ TTA Fac.<br>+ Silo 1&2 Treat. Fac.<br>+ RCS Fac.<br>+ Trailers, Sm. Structures and Debris | | | | | |
| | Area 7-Ph.III<br>+ Area 7G | + AWWT<br>+IAWWT<br>+SPIT | | | | | |
| | Area 7-Ph.IV<br>+ Area 7H | +Trailers, Sm. Structures and Debris | | | | | |
| | Area 7-Ph.V<br>+ Area 7I<br>+ Area 7J<br>+ Area 7K | Trailers, Sm. Structures and Debris | | | | | |
| **Area 7 IROD Subtotal** | | | | | | | |
| AREA 8 | + Area 8 Ph.1 | Trailers, Sm. Structures and Debris | | | | | |

| Attachment 3 OU3 D&D Area Remediation for Section IV, VI, VII and Appendix A<br>All costs in Millions | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Area** | **Sub Area** | **Complexes in Area** | **Preliminary Declaration Submittal Date** | **D&D Complex Physical Completion Date** | **D&D Completion Report Number** | **Completion Report Submittal Date** | **D&D Complex Actual Cost as of Oct04** |
| | Area 8 Ph.II | Trailers, Sm. Structures and Debris | | | | | |
| | Area 8 Ph.III | Trailers, Sm. Structures and Debris | | | | | |
| | | | | | | | |
| **TRAILERS, SM. STRUCTURES AND DEBRIS SUMMARY** | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| OU3 ROD | | ROD RA9 LLW | | | | | |
| | | ROD RA9 MW | | | | | |
| | | ROD RA9 Thorium Offsite | | | | | |
| | | ROD Nuclear Materials | | | | | |
| | | ROD RA 26 Asbestos Abatement | | | | | |
| | | ROD RA 17 Soils & Debris Improvement | | | | | |
| | | ROD RA 12 Safe Shutdown | | | | | |
| | | | | | | | |
| **ROD Scope** | | | | | | | |
| **GRAND TOTAL** | | | | | | | |

| Attachment 4 – Natural Resource Restoration Attachment for Section IV, VI,VII and Appendix A<br>Rev Date | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | Pre. Dec. Submittal Date | Physical Completion Date | Certification Report No. | Certification Report Submittal Date | Completed Banked Cubic Yards at Physical Completion Off-Site | Completed Banked Cubic Yards at Physical Completion On-Site | Total Actual Dollars w/ Engineering ($ x M) as Of Oct04 | Projected * |
| **Area 1** | | | | | | | | * |
| Area 1 Phase I Northern Pines | | | | | | | | |
| Area 1 Phase II Borrow Area | | | | | | | | |
| Area 1 Phase III North Woodlot | | | | | | | | |
| Area 1 Phase IV Grade & Seed | | | | | | | | |
| Area 1 Phase V Grade & Seed | | | | | | | | |
| **Area 2** | | | | | | | | * |
| Area 2 Phase I SWU | | | | | | | | |
| Area 2 Phase II Paddys Run East | | | | | | | | |
| Area 2 Phase III Paddys Run East | | | | | | | | |
| **Area 3** | | | | | | | | * |
| **Area 3A Restoration** | | | | | | | | |
| Area MDC-3A-1 Grade & Seed | | | | | | | | |
| Area MDC-3A-2 Grade & Seed | | | | | | | | |
| **Area 3B** | | | | | | | | * |
| Area MDC- | | | | | | | | |

| Attachment 4 – Natural Resource Restoration Attachment for Section IV, VI,VII and Appendix A<br>Rev Date | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | Pre. Dec. Submittal Date | Physical Completion Date | Certification Report No. | Certification Report Submittal Date | Completed Banked Cubic Yards at Physical Completion Off-Site | Completed Banked Cubic Yards at Physical Completion On-Site | Total Actual Dollars w/ Engineering ($ x M) as Of Oct04 | Projected * |
| 3B Grade & Seed | | | | | | | | |
| Area MDC-N Grade & Seed | | | | | | | | |
| **Area 4** | | | | | | | | |
| Area 4A Restoration | | | | | | | | * |
| Area MDC-2nd Street Grade & Seed | | | | | | | | |
| Area 4B Restoration | | | | | | | | * |
| Area MDC-S Grade & Seed | | | | | | | | |
| Area MDC-4B | | | | | | | | |
| **Area 5** | | | | | | | | * |
| Area ADM Grade & Seed | | | | | | | | |
| Area PROD Grade & Seed | | | | | | | | |
| Area MDC-1st Street Grade & Seed | | | | | | | | |
| Area WPL Grade & Seed | | | | | | | | |
| Area EPL Grade & Seed | | | | | | | | |
| **Area 6** | | | | | | | | * |
| Area 6A Grade & Seed | | | | | | | | |
| Area 6B Grade & Seed | | | | | | | | |
| Area 6C Grade & Seed | | | | | | | | |
| Area 6D Grade & | | | | | | | | |

| Attachment 4 – Natural Resource Restoration Attachment for Section IV, VI,VII and Appendix A<br>Rev Date | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | Pre. Dec. Submittal Date | Physical Completion Date | Certification Report No. | Certification Report Submittal Date | Completed Banked Cubic Yards at Physical Completion Off-Site | Completed Banked Cubic Yards at Physical Completion On-Site | Total Actual Dollars w/ Engineering ($ x M) as Of Oct04 | Projected * |
| Seed | | | | | | | | |
| Area 6E Grade & Seed | | | | | | | | |
| Area 6F Grade & Seed | | | | | | | | |
| Area 6G Grade & Seed | | | | | | | | |
| Area 6I Grade & Seed | | | | | | | | |
| Area 6J Grade & Seed | | | | | | | | |
| Area 6K Grade & Seed | | | | | | | | |
| Area 6L Waste Pits restoration | | | | | | | | |
| Area – Paddys Run WP Waste Pits restoration | | | | | | | | |
| Area 7 | | | | | | | | * |
| AREA-7A Restoration | | | | | | | | |
| AREA-7B Restoration | | | | | | | | |
| AREA-7C Grade & Seed | | | | | | | | |
| AREA-7D Grade & Seed | | | | | | | | |
| AREA-7E Grade & Seed | | | | | | | | |
| AREA-7F Grade & Seed | | | | | | | | |
| AREA-7G Grade & Seed | | | | | | | | |
| AREA-7H | | | | | | | | |

| Attachment 4 – Natural Resource Restoration Attachment for Section IV, VI,VII and Appendix A<br>Rev Date | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | Pre. Dec. Submittal Date | Physical Completion Date | Certification Report No. | Certification Report Submittal Date | Completed Banked Cubic Yards at Physical Completion Off-Site | Completed Banked Cubic Yards at Physical Completion On-Site | Total Actual Dollars w/ Engineering ($ x M) as Of Oct04 | Projected * |
| Grade & Seed | | | | | | | | |
| AREA-7I Grade & Seed | | | | | | | | |
| AREA-7J Grade & Seed | | | | | | | | |
| AREA-7K Grade & Seed | | | | | | | | |
| **Area 8** | | | | | | | | * |
| Area 8-Phase I Restoration | | | | | | | | |
| Area 8-Phase II Restoration | | | | | | | | |
| Area 8-Phase III Restoration | | | | | | | | |
| **Area 9** | | | | | | | | * |
| | | | | | | | | |
| **Paddys Run** Paddys Run West | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| MDC | | | | | | | | * |
| Total Actual Remedy Cost To Date – (Oct04) | | | | | | | $92.587 | * |
| Total Forecasted Cost as of Oct04 (to be deleted at completion) | | | | | | | $162.458 | |
| Total ROD Estimated Cost | | | | | | $738.106 | | |

1

| Attachment 5 – Soils Remediation Attachment For Section IV, VI, VII and Appendix A Rev. Date | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | Pre. Dec. Submittal Date | Physical Completion Date | Certification Report No. | Certification Report Submittal Date | Completed Banked Cubic Yards at Physical Completion Off-Site | Completed Banked Cubic Yards at Physical Completion On-Site | Total Actual Dollars w/ Engineering ($ x M) as Of Oct04 | Projected * |
| **Area 1** | | | | | | | $34.225 | * |
| Area 1 Phase I | | | | | | | | |
| Area 1 Phase II | | | | | | | | |
| Area 1 Phase III | | | | | | | | |
| Area 1 Phase IV | | | | | | | | |
| Area 1 Phase V | | | | | | | | |
| **Area 2** | | | | | | | 0 | * |
| Area 2 Phase I | | | | | | | | |
| Area 2 Phase II | | | | | | | | |
| Area 2 Phase III | | | | | | | | |
| **Area 3** | | | | | | | | * |
| **Area 3A** | | | | | | | 21.718 | |
| Area MDC-3A-1 | | | | | | | | |
| Area MDC-3A-2 | | | | | | | | |
| **Area 3B** | | | | | | | 6.816 | * |
| Area MDC-3B | | | | | | | | |
| Area MDC-N | | | | | | | | |
| **Area 4** | | | | | | | | |
| Area 4A | | | | | | | 11.832 | * |
| Area MDC-2nd Street | | | | | | | | |
| Area 4B | | | | | | | 10.263 | * |
| Area MDC-S | | | | | | | | |
| Area MDC-4B | | | | | | | | |
| **Area 5** | | | | | | | .005 | * |
| Area ADM | | | | | | | | |
| Area PROD | | | | | | | | |
| Area MDC-1st Street | | | | | | | | |
| Area WPL | | | | | | | | |
| Area EPL | | | | | | | | |

| Attachment 5 – Soils Remediation Attachment For Section IV, VI, VII and Appendix A Rev. Date | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | Pre. Dec. Submittal Date | Physical Completion Date | *Certification* Report No. | Certification Report Submittal Date | Completed Banked Cubic Yards at Physical Completion Off-Site | Completed Banked Cubic Yards at Physical Completion On-Site | Total Actual Dollars w/ Engineering ($ x M) as Of Oct04 | Projected * |
| **Area 6** | | | | | | | 2.752 | * |
| Area 6A | | | | | | | | |
| Area 6B | | | | | | | | |
| Area 6C | | | | | | | | |
| Area 6D | | | | | | | | |
| Area 6E | | | | | | | | |
| Area 6F | | | | | | | | |
| Area 6G | | | | | | | | |
| Area 6I | | | | | | | | |
| Area 6J | | | | | | | | |
| Area 6K | | | | | | | | |
| Area 6L | | | | | | | | |
| Area – Paddys Run WP | | | | | | | | |
| **Area 7** | | | | | | | 2.027 | * |
| AREA-7A | | | | | | | | |
| AREA-7B | | | | | | | | |
| AREA-7C | | | | | | | | |
| AREA-7D | | | | | | | | |
| AREA-7E | | | | | | | | |
| AREA-7F | | | | | | | | |
| AREA-7G | | | | | | | | |
| AREA-7H | | | | | | | | |
| AREA-7I | | | | | | | | |
| AREA-7J | | | | | | | | |
| AREA-7K | | | | | | | | |
| **Area 8** | | | | | | | 1.720 | * |
| Area 8-Phase I | | | | | | | | |
| Area 8-Phase II | | | | | | | | |
| Area 8-Phase III | | | | | | | | |
| **Area 9** | | | | | | | 1.140 | * |
| | | | | | | | | |
| **Paddys Run** | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| MDC | | | | | | | .084 | * |
| Total Actual Remedy Cost To Date – (Oct04) | | | | | | | $92.587 | * |
| Total Forecasted | | | | | | | $162.458 | |

| Attachment 5 – Soils Remediation Attachment For Section IV, VI, VII and Appendix A Rev. Date | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | Pre. Dec. Submittal Date | Physical Completion Date | Certification Report No. | Certification Report Submittal Date | Completed Banked Cubic Yards at Physical Completion Off-Site | Completed Banked Cubic Yards at Physical Completion On-Site | Total Actual Dollars w/ Engineering ($ x M) as Of Oct04 | Projected * |
| Cost as of Oct04 (to be deleted at completion) | | | | | | | | |
| Total ROD Estimated Cost | | | | | | $738.106 | | |

1. Budget The escalated budget for Soils excavation in the ROD is scheduled to be complete in 2018 at an escalated cost of $738.1 M. The schedule was accelerated to 2006. The actual expenditures thru October 2004 plus the forecasted expenditures through April 2006 is $ 92.587 M. The forecasted cost will be changed to an actual cost upon certification of each area per the documentation provided in Attachment 1 – Soil Remediation Attachment For Section IV, VI, and VII. At this time some of the excavation work scope is non- remedy work. Non-remedy work is defined as 1. Soil removal actions, 2. Costs associated with the ROD documents, 3. Area 2 excavation costs already included in the OU2 EPA report, 4. OU5 Aquifer costs which will be covered in a separate OU5 EPA report. None of the defined excavation areas are complete. Costs included in the chart above include distributable costs (project management, natural resource management, real time system development, Soils CDR, maintenance and monitoring costs, engineering and construction management, environmental monitoring, characterization, surveying, and engineering among others).

2. Unit Costs - At this point in time (October 2004), it would not be prudent to calculate completed installed unit cost of excavation until more of the areas are complete.

| ATTACHMENT 6 - DECLARATION AREA LIST (Page 1)<br>REV. 0 – 04/13/05 | | |
|---|---|---|
| **SOILS** | **RESTORATION** | |
| | | |
| | **AREA 1** | |
| | | |
| AREA 1 - PH. 1 | WETLAND MIT. PH-1 (AIPI) | AREA 1 - PH. I |
| | NOTHERN PINES (AIPI) | |
| | | |
| AREA 1 - PH. II | BORROW AREA (AIPII) | AREA 1 - PH. II |
| | | |
| AREA 1 - PH. III | NORTH WOODLOT | AREA 1 – PH. III |
| | | |
| AREA 1 - PH. IV | GRADE & SEED* | AREA 1 - PH. IV |
| | | |
| AREA 1 - PH. V | GRADE & SEED* | AREA 1 - PH. V |
| | | |
| | | |
| AREA 2 - PH. 1 | SWU | AREA 2 - PH. I |
| | | |
| AREA 2 - PH. II | PADDYS RUN EAST | AREA 2 - PH. II |
| | | |
| AREA 2 - PH. III | | AREA 2 - PH. III |
| | | |
| | **AREA 3A** | |
| AREA 3A | 3A RESTORATION | AREA 3A |
| | | |
| AREA MDC-3A-1 | GRADE & SEED* | |
| | | |
| AREA MDC-3A-2 | GRADE & SEED* | |
| | | |
| | **I. AREA 3B** | |
| AREA 3B | 3B RESTORATION | AREA 3B |
| | | |
| AREA MDC-3B | GRADE & SEED* | |
| | | |
| AREA MDC-N | GRADE & SEED* | |
| | | |
| | | |
| | | |
| * A REPORT WILL BE CREATED FOR EACH AREA LISTED AS " GRADE & SEED" | | |

| ATTACHMENT 6 - DECLARATION AREA LIST (Page 2)<br>REV. 0 – 04/13/05 | | |
|---|---|---|
| **SOILS** | **RESTORATION** | |
| | | |
| | | |
| AREA 4A | 4A RESTORATION | AREA 4A |
| | | |
| Area MDC- 4A | GRADE & SEED | |
| | | |
| AREA MDC-2ND. ST | GRADE & SEED | |
| | | |
| | | |
| AREA 4B | 4B RESTORATION | AREA 4B |
| | | |
| AREA MDC-S | GRADE & SEED | |
| | | |
| | | |
| AREA ADM | GRADE & SEED | AREA 5 |
| | | |
| AREA PROD | GRADE & SEED | |
| | | |
| AREA MDC-1ST. ST. | GRADE & SEED | |
| | | |
| AREA WPL | GRADE & SEED | |
| | | |
| AREA EPL | GRADE & SEED | |
| | | |
| | **II. AREA 6** | |
| AREA – 6A | GRADE & SEED | AREA 6– Ph.1 |
| | | |
| AREA – 6B | GRADE & SEED | |
| | | |
| AREA – 6C | GRADE & SEED | |
| | | |
| AREA – 6F | GRADE & SEED | |
| | | |
| AREA – 6H | GRADE & SEED | |
| | | |
| AREA – 6 I | GRADE & SEED | |
| | | |
| AREA – 6D | GRADE & SEED* | AREA 6 – Ph.2 |
| | | |
| AREA – 6E | GRADE & SEED* | |
| | | |
| | | |
| * A REPORT WILL BE CREATED FOR EACH AREA LISTED AS " GRADE & SEED" | | |

1

| ATTACHMENT 6 - DECLARATION AREA LIST (Page 3)<br>REV. 0 – 04/13/05 | | |
|---|---|---|
| **SOILS** | **RESTORATION** | |
| AREA – 6G** | GRADE & SEED* | AREA 6 – Ph.3 |
| | | |
| AREA – 6I | GRADE & SEED* | |
| | | |
| AREA – 6J | GRADE & SEED* | |
| | | |
| AREA – 6K** | GRADE & SEED* | |
| | | |
| AREA – 6L | WASTE PITS | |
| | | |
| AREA – PADDYS RUN WP | | |
| | | |
| ** REQUIRES MODIFICATION IF RAIL IS USED FOR SILOS DEBRIS | | |
| | | |
| | | |
| AREA – 7A | SILOS RESTORATION | AREA 7 – PH.1 |
| | | |
| AREA – 7B | | |
| | | |
| AREA – 7C | GRADE & SEED* | |
| | | |
| AREA – 7D | GRADE & SEED* | AREA 7 – PH. 2 |
| | | |
| AREA – 7E | GRADE & SEED* | |
| | | |
| AREA – 7F | GRADE & SEED* | |
| | | |
| AREA – 7G | GRADE & SEED* | AREA 7 – PH. 3 |
| | | |
| AREA – 7H | GRADE & SEED* | AREA 7 – PH. 4 |
| | | |
| AREA – 7I | GRADE & SEED* | AREA 7 – PH. 5 |
| | | |
| AREA – 7J | GRADE & SEED* | |
| | | |
| AREA – 7K | GRADE & SEED* | |
| | | |
| | | |
| * A REPORT WILL BE CREATED FOR EACH AREA LISTED AS " GRADE & SEED" | | |

2

| ATACHMENT 6 - DECLARATION AREA LIST (Page 4)<br>REV. 0 – 04/13/05 | | |
|---|---|---|
| **SOILS** | **RESTORATION** | |
| | **III. AREA 8** | |
| AREA 8 – PH.1 | AREA 8 PH. 1 RESTORATION | AREA 8 – PH.1 |
| | | |
| AREA 8 – PH.2 | AREA 8 PH. 1 RESTORATION | AREA 8 – PH.2 |
| | | |
| AREA 8 – PH.3 | AREA 8 PH. 1 RESTORATION | AREA 8 – PH.3 |
| | | |
| **AREA 9** | | |
| AREA 9 | NA | NA |
| | | |
| **PADDYS RUN** | | |
| PADDYS RUN | PADDYS RUN WEST | PADDYS RUN |
| | | |
| | | |
| | | |
| *A REPORT WILL BE CREATED FOR EACH AREA LISTED AS " GRADE & SEED" | | |
| | | |
| | | |
| | | |
| | | |

1

**Interim Declaration Checklist – C.1.1.1**

**Verification of Waste Pit Material Removal and Shipping Completion**

**Date:** _____

DOE Signature:_____

Fluor Fernald Signature:

| Criteria | Fluor Fernald Verified (Y/N) | DOE CO Concur (Y/N) |
|---|---|---|
| Excavation is to the necessary grade to ensure all waste material has been removed | | |
| Completed Form 540, "Uniform Low-Level Radioactive Waste Manifest Shipping Paper" exists for each gondola rail car comprising the unit trains (see attached table) executed by Fluor Fernald Inc. as shipper, CSXT as carrier, and Envirocare of Utah as consignee of the waste material. | | |
| Completed Form 541, "Uniform Low-Level Radioactive Waste Manifest Container and Waste Description" exists for each gondola rail car comprising the unit trains (see attached table) | | |
| Completed Form EC-0230, "Special Nuclear Material Exemption Certification" for each gondola rail car comprising the unit trains exists (see attached table) executed by Fluor Fernald Inc. as shipper. | | |
| Completed "OSDF Manifest for Bulk Soil and Debris (FS-F-5154)" exists for debris, cap material, and soils acceptable for disposition in the OSDF | | |

2
3
4 Documents & Letters Supporting Completion Declaration:
5

| Document | Approval Date |
|---|---|
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

6
7

## Interim Declaration Checklist – C.1.1.2

## Verification of Other Waste Unit Material Removal and Disposition Completion

**Date:** _____
DOE Signature: _____

Fluor Fernald Signature: _____

| Criteria | Fluor Fernald Verified (Y/N) | DOE CO Concur (Y/N) |
|---|---|---|
| All material has been removed and disposition to another project. Final disposition documentation for the material is not verified on this checklist, but is the responsibility of the project responsible for the disposition (i.e. Waste Pits, Waste Mgt. or OSDF) | | |
| Excavation is to the necessary grade to ensure all waste material has been removed | | |

Documents & Letters Supporting Completion Declaration:

| Document | Approval Date |
|---|---|
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

**Interim Declaration Checklist – C.1.1.3**

**Area Verification of D&D Activities Completion**

**Date:** _____

DOE Signature: _____

Fluor Fernald Signature: _____

| Remediation Area Evaluated: | | |
|---|---|---|
| **Criteria** | **Fluor Fernald Verified (Y/N)** | **DOE CO Concur (Y/N)** |
| D&D Implementation Plan is Approved | | |
| D&D of Facilities is Complete | | |
| Any Remaining Property, Equipment, Structures is documented on Maps 1,2 or 3 | | |
| All Debris and Small Structures have been removed | | |
| D&D Project Completion Report is Submitted and Approved | | |
| D&D Debris Manifests are Available | | |
| All Containerized Legacy Waste and/or Nuclear Material has been removed. | | |
| | | |
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Documents & Letters Supporting Completion Declaration:

| **Document** | **Approval Date** |
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**Interim Declaration Checklist – C.1.1.4**

**Verification of Silos Material Removal and Shipping Completion**

**Date:** _____

DOE Signature: _____

Fluor Fernald Signature: _____

Silos 1& 2 _____(√)

Silo 3 _____(√)

| Criteria | Fluor Fernald Verified (Y/N) | DOE CO Concur (Y/N) |
|---|---|---|
| All silo material has been removed, packaged, shipped, and disposed, as reflected in the appropriate shipping manifest | | |
| Silos 1 & 2 debris has been removed, shipped and disposed of as reflected in the manifests | | |
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Documents & Letters Supporting Completion Declaration:

| Document | Approval Date |
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**Interim Declaration Checklist – C.1.1.5**

**Area Verification of Soils Excavation Completion**

**Date:** _____

DOE Signature:_____

Fluor Fernald Signature:_____

| Remediation Area Evaluated: | | |
|---|---|---|
| **Criteria** | **Fluor Fernald Verified (Y/N)** | **DOE CO Concur (Y/N)** |
| Integrated Remedial Design Package is Approved by USEPA | | |
| Soil Disposition Manifests are Available | | |
| Certification Design Letter is Approved by the Agencies | | |
| Soil FRL's are Achieved | | |
| Certification Report is Approved | | |
| Contour Grading is Completed | | |

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4 Documents & Letters Supporting Completion Declaration:

| **Document** | **Approval Date** |
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**Interim Declaration Checklist – C.1.1.6**

**Verification For On-Site Disposal Facility Cell Completion**

**Date:** _____

DOE Signature: _____

Fluor Fernald Signature: _____

| On-Site Disposal Facility Cells Evaluated: | | |
|---|---|---|
| **Criteria** | **Fluor Fernald Verified (Y/N)** | **DOE CO Concur (Y/N)** |
| Liner is performing within acceptable leakage rate | | |
| Cap is in-place and vegetation acceptable | | |
| Construction Quality Assurance Report addressing the Cell is submitted and approved by the agencies | | |
| *LM infrastructure is completed and documented on Map 3 | | |

* Does not apply to individual OSDF cell verification

Documents & Letters Supporting Completion Declaration:

| **Document** | **Approval Date** |
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**Interim Declaration Checklist – C.1.1.7**

**For Completion of CAWWT & Aquifer System**

**Date:** _____

DOE Signature:_____

Fluor Fernald Signature:_____

| Criteria | Fluor Fernald Verified (Y/N) | DOE CO Concur (Y/N) |
|---|---|---|
| CAWWT readiness has been declared and startup has been accomplished in accordance with the appropriate USDOE guidelines. | | |
| CFC drawings for treatment facilities, well systems and required utilities exist | | |
| PM system for operations is developed and up to date | | |
| Operating procedures exist | | |
| Manufacturers manuals for CAWWT and well system equipment and instruments are available | | |
| Spare parts inventory is developed and stocked. | | |
| Treatment process chemicals are available | | |

Documents & Letters Supporting Completion Declaration:

| Document | Approval Date |
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**Interim Declaration Checklist – C.1.1.8**

**Area Verification of Natural Resource Restoration Activities Completion**

**Date:** _____

DOE Signature: _____

Fluor Fernald Signature: _____

| Remediation Area Evaluated: | | |
|---|---|---|
| **Criteria** | **Fluor Fernald Verified (Y/N)** | **DOE CO Concur (Y/N)** |
| Restoration Grading is Completed | | |
| Planting is Completed | | |

Documents & Letters Supporting Completion Declaration:

| Document | Approval Date |
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# Appendix 1
# Task Transfer Tools

# Appendix 2
# Lists of Infrastructure

This appendix contains the lists of infrastructure identified on the three closure maps.

FCP Post-Closure Plan 1: Monitoring Wells
FCP Post Closure Plan 2: Water Related Infrastructure
FCP Post Closure Plan 3: Site Closure Structures Remaining

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## FCP Post-Closure Plan 1 : Monitoring Wells

| Grid | Area | Well ID | Well Description | Type | To Be Plugged |
|---|---|---|---|---|---|
| | Offsite | 2002 | Total U/ Elevations | Monitoring | |
| | A7 | 2008 | Total U | Monitoring | |
| | A2P2 | 2009 | Total U/Elevations | Monitoring | |
| | A6 | 2010 | Waste Storage Area/Elevations | Monitoring | |
| | A2P3 | 2014 | Total U/Elevations | Monitoring | |
| | A2P2 | 2016 | Total U/Elevations | Monitoring | |
| | A2P3 | 2017 | Total U/Elevations | Monitoring | |
| | A8P3 | 2043 | Elevations | Monitoring | |
| | A8P3 | 2044 | Elevations | Monitoring | |
| | A2P3 | 2045 | South Field/Elevations | Monitoring | |
| | A2P2 | 2046 | Total U/ Elevations | Monitoring | |
| | A2P2 | 2048 | Total U/ Elevations | Monitoring | |
| | A2P3 | 2049 | South Field/Elevations | Monitoring | |
| | A1P1 | 2051 | Elevations | Monitoring | |
| | A1P3 | 2052 | Elevations | Monitoring | |
| | A4A | 2054 | Total U/Elevations | Monitoring | |
| | A2P2 | 2065 | Elevations | Monitoring | |
| | Offsite | 2091 | Elevations | Monitoring | |
| | Offsite | 2092 | Elevations | Monitoring | |
| | Offsite | 2093 | Property/Plume Boundary/Elevations | Monitoring | |
| | Offsite | 2095 | Total U/ Elevations | Monitoring | |
| | Offsite | 2096 | Elevations | Monitoring | |
| | Offsite | 2098 | Elevations | Monitoring | |
| | A2P3 | 2106 | Total U/ Elevations | Monitoring | |
| | A2P2 | 2107 | Elevations | Monitoring | |
| | A8P3 | 2108 | Elevations | Monitoring | |
| | A4A | 2109 | Total U/ Elevations | Monitoring | |
| | A4A | 2118 | Total U/ Elevations | Monitoring | |
| | Offsite | 2125 | Total U/ Elevations | Monitoring | |
| | Offsite | 2126 | Elevations | Monitoring | |
| | Offsite | 2128 | Property/Plume Boundary/PRRS/elevations | Monitoring | |
| | A2P3 | 2166 | Total U/ Elevations | Monitoring | |
| | A8P3 | 2383 | Elevations | Monitoring | |
| | A8P1 | 2384 | Elevations | Monitoring | |
| | A2P2 | 2385 | Total U/ Elevations | Monitoring | |
| | A2P3 | 2386 | Total U/ Elevations | Monitoring | |
| | A2P3 | 2387 | Total U/ Elevations | Monitoring | |
| | A4A | 2389 | Total U/ Elevations | Monitoring | |
| | A2P3 | 2390 | Total U/ Elevations | Monitoring | |
| | Offsite | 2394 | Elevations | Monitoring | |
| | Offsite | 2396 | Total U/ Elevations | Monitoring | |
| | A2P3 | 2397 | Total U/ Elevations | Monitoring | |
| | A2P3 | 2398 | Property Boundary/Elevations | Monitoring | |
| | A2P3 | 2399 | Elevations | Monitoring | |
| | A2P2 | 2402 | Total U/ Elevations | Monitoring | |
| | A1P1 | 2424 | Elevations | Monitoring | |
| | A1P2 | 2426 | Property Boundary/Elevations | Monitoring | |
| | A1P2 | 2429 | Property Boundary/Elevations | Monitoring | |

## FCP Post-Closure Plan 1 : Monitoring Wells

| Grid | Area | Well ID | Well Description | Type | To Be Plugged |
|---|---|---|---|---|---|
| | A1P2 | 2431 | Property Boundary/Elevations | Monitoring | |
| | A1P2 | 2432 | Property Boundary/Elevations | Monitoring | |
| | A2P3 | 2434 | Elevations | Monitoring | |
| | A1P3 | 2436 | Elevations | Monitoring | |
| | A7 | 2446 | Elevations | Monitoring | |
| | Offsite | 2550 | Total U/ Elevations | Monitoring | |
| | Offsite | 2552 | Total U/ Elevations | Monitoring | |
| | Offsite | 2553 | Total U/ Elevations | Monitoring | |
| | Offsite | 2555 | Inactive | Monitoring | |
| | A1P3 | 2679 | Elevations | Monitoring | |
| | A1P2 | 2733 | Property Boundary/Elevations | Monitoring | |
| | Offsite | 2880 | Total U/Elevations | Monitoring | |
| | Offsite | 2881 | Elevations | Monitoring | |
| | Offsite | 2897 | Total U/Elevations | Monitoring | |
| | Offsite | 2898 | Total U/Elevations | Monitoring | |
| | Offsite | 2899 | Total U/Elevations | Monitoring | |
| | Offsite | 2900 | Total U/Elevations | Monitoring | |
| | A2P3 | 3014 | Total U/Elevations | Monitoring | |
| | A2P3 | 3015 | Total U/Elevations | Monitoring | |
| | A2P3 | 3017 | Elevations | Monitoring | |
| | A2P3 | 3045 | Total U/Elevations | Monitoring | |
| | A2P2 | 3046 | Total U/Elevations | Monitoring | |
| | A2P3 | 3049 | Total U/Elevations | Monitoring | |
| | A4A | 3054 | Total U/Elevations | Monitoring | |
| | A2P2 | 3065 | Elevations | Monitoring | |
| | A2P3 | 3069 | Total U/Elevations | Monitoring | |
| | A2P3 | 3070 | Property Boundary/Elevations | Monitoring | |
| | Offsite | 3095 | Total U/Elevations | Monitoring | |
| | A2P3 | 3106 | Total U/Elevations | Monitoring | |
| | Offsite | 3125 | Total U/Elevations | Monitoring | |
| | A2P2 | 3385 | Total U/Elevations | Monitoring | |
| | A2P3 | 3387 | Total U/Elevations | Monitoring | |
| | A2P3 | 3390 | Total U/Elevations | Monitoring | |
| | Offsite | 3396 | Total U/Elevations | Monitoring | |
| | A2P3 | 3397 | Total U/Elevations | Monitoring | |
| | A2P3 | 3398 | Property/Plume Boundary/Elevations | Monitoring | |
| | A2P2 | 3402 | Total U/Elevations | Monitoring | |
| | A1P1 | 3424 | Property/Plume Boundary/Elevations | Monitoring | |
| | A1P2 | 3426 | Property/Plume Boundary/Elevations | Monitoring | |
| | A1P2 | 3429 | Property/Plume Boundary/Elevations | Monitoring | |
| | A1P2 | 3431 | Property/Plume Boundary/Elevations | Monitoring | |
| | A1P2 | 3432 | Property/Plume Boundary/Elevations | Monitoring | |
| | Offsite | 3550 | Total U/Elevations | Monitoring | |
| | Offsite | 3552 | Total U/Elevations | Monitoring | |
| | A1P2 | 3733 | Property/Plume Boundary/Elevations | Monitoring | |
| | Offsite | 3880 | Total U/Elevations | Monitoring | |
| | Offsite | 3881 | Elevations | Monitoring | |
| | Offsite | 3900 | Property/Plume Boundary/PRRS/elevations | Monitoring | |

## FCP Post-Closure Plan 1 : Monitoring Wells

| Grid | Area | Well ID | Well Description | Type | To Be Plugged |
|---|---|---|---|---|---|
| | A2P3 | 4398 | Property/Plume Boundary | Monitoring | |
| | A1P1 | 4424 | Elevations | Monitoring | |
| | A1P2 | 4426 | Elevations | Monitoring | |
| | A1P2 | 4432 | Elevations | Monitoring | |
| | A2P3 | 21192 | Total U/Elevations | Monitoring | |
| | A1P1 | 22198 | OSDF/Property/Plume Boundary/Elevations | Monitoring | |
| | A2P3 | 22299 | Elevations | Monitoring | |
| | A2P3 | 22300 | Elevations | Monitoring | |
| | A2P3 | 22301 | Elevations/Hydrolab | Monitoring | |
| | A2P3 | 22302 | Elevations/Hydrolab | Monitoring | |
| | A2P3 | 22303 | Elevations/Hydrolab | Monitoring | |
| | A1P1 | 31217 | Property/Plume Boundary/Elevations | Monitoring | |
| | A2P3 | 32304 | Elevations | Monitoring | |
| | A2P3 | 32305 | Elevations | Monitoring | |
| | A2P3 | 32306 | Elevation/Hydrolab | Monitoring | |
| | A2P3 | 32307 | Elevation/Hydrolab | Monitoring | |
| | A2P2 | 32763 | Inactive | Monitoring | |
| | A2P2 | 32764 | Inactive | Monitoring | |
| | A2P2 | 32765 | Inactive | Monitoring | |
| | A2P2 | 32766 | Total U/Elevations | Monitoring | |
| | A2P2 | 32767 | Inactive | Monitoring | |
| | A2P2 | 32768 | Total U/Elevations | Monitoring | |
| | A1P1 | 41217 | Elevations | Monitoring | |
| | A2P3 | 62408 | Total U/Elevations | Monitoring | |
| | A2P3 | 62433 | Total U/Elevations | Monitoring | |
| | A7 | 63116 | Total U/Elevations | Monitoring | |
| | A7 | 63119 | Total U/Elevations | Monitoring | |
| | A2P3 | 63283 | Total U/Elevations | Monitoring | |
| | A2P3 | 63284 | Total U/Elevations | Monitoring | |
| | A2P3 | 63285 | Total U/Elevations | Monitoring | |
| | A2P3 | 63286 | Total U/Elevations | Monitoring | |
| | A2P3 | 63287 | Total U/Elevations | Monitoring | |
| | A2P3 | 63288 | Total U/Elevations | Monitoring | |
| | A2P3 | 63289 | Total U/Elevations | Monitoring | |
| | A2P3 | 63290 | Total U/Elevations | Monitoring | |
| | A2P3 | 63291 | Total U/Elevations | Monitoring | |
| | A2P3 | 63292 | Total U/Elevations | Monitoring | |
| | A7 | 1008 | Inactive | Monitoring | |
| | A7 | 1042 | Inactive | Monitoring | |
| | A2P3 | 1045 | Inactive | Monitoring | |
| | A2P2 | 1048 | Inactive | Monitoring | |
| | A1P3 | 1052 | Inactive | Monitoring | |
| | A2P2 | 1065 | Inactive | Monitoring | |
| | A1P3 | 1679 | Inactive | Monitoring | |
| | A1P3 | 1728 | Inactive | Monitoring | |
| | A7 | 1934 | Inactive | Monitoring | |
| | A7 | 2042 | Inactive | Monitoring | |
| | A3B | 2055 | Inactive | Monitoring | |

## FCP Post-Closure Plan 1 : Monitoring Wells

| Grid | Area | Well ID | Well Description | Type | To Be Plugged |
|---|---|---|---|---|---|
| | A8P2 | 2066 | Inactive | Monitoring | |
| | A2P3 | 2069 | Inactive | Monitoring | |
| | Offsite | 2094 | Inactive | Monitoring | |
| | Offsite | 2127 | Inactive | Monitoring | |
| | Offsite | 2129 | Inactive | Monitoring | |
| | Offsite | 2391 | Inactive | Monitoring | |
| | Offsite | 2392 | Inactive | Monitoring | |
| | Offsite | 2393 | Inactive | Monitoring | |
| | Offsite | 2395 | Inactive | Monitoring | |
| | A6 | 2454 | Inactive | Monitoring | |
| | Offsite | 2554 | Inactive | Monitoring | |
| | Offsite | 2556 | Inactive | Monitoring | |
| | Offsite | 2557 | Inactive | Monitoring | |
| | Offsite | 2558 | Inactive | Monitoring | |
| | Offsite | 2559 | Inactive | Monitoring | |
| | Offsite | 2560 | Inactive | Monitoring | |
| | A1P3 | 2728 | Inactive | Monitoring | |
| | A4B | 2935 | Inactive | Monitoring | |
| | A4B | 2936 | Inactive | Monitoring | |
| | A6 | 3011 | Elevations | Monitoring | |
| | A8P3 | 3043 | Inactive | Monitoring | |
| | A8P3 | 3044 | Inactive | Monitoring | |
| | A3B | 3055 | Inactive | Monitoring | |
| | A8P2 | 3066 | Inactive | Monitoring | |
| | Offsite | 3093 | Property Boundary/Elevations | Monitoring | |
| | Offsite | 3094 | Inactive | Monitoring | |
| | Offsite | 3096 | Inactive | Monitoring | |
| | A2P2 | 3107 | Inactive | Monitoring | |
| | A8P3 | 3108 | Inactive | Monitoring | |
| | Offsite | 3126 | Total U/Elevations | Monitoring | |
| | Offsite | 3127 | Inactive | Monitoring | |
| | Offsite | 3128 | Property/Plume Boundary/PRRS/elevations | Monitoring | |
| | Offsite | 3129 | Inactive | Monitoring | |
| | Offsite | 3391 | Inactive | Monitoring | |
| | A1P1 | 3678 | Inactive | Monitoring | |
| | A1P3 | 3679 | Inactive | Monitoring | |
| | Offsite | 3897 | Total U | Monitoring | |
| | Offsite | 3898 | Property/Plume Boundary/PRRS/elevations | Monitoring | |
| | Offsite | 3899 | Property/Plume Boundary/PRRS/elevations | Monitoring | |
| | Offsite | 3910 | Inactive | Monitoring | |
| | Offsite | 3911 | Inactive | Monitoring | |
| | Offsite | 3912 | Inactive | Monitoring | |
| | Offsite | 3916 | Inactive | Monitoring | |
| | Offsite | 3917 | Inactive | Monitoring | |
| | Offsite | 3918 | Inactive | Monitoring | |
| | Offsite | 3921 | Inactive | Monitoring | |
| | Offsite | 3922 | Inactive | Monitoring | |
| | Offsite | 3923 | Inactive | Monitoring | |

## FCP Post-Closure Plan 1 : Monitoring Wells

| Grid | Area | Well ID | Well Description | Type | To Be Plugged |
|---|---|---|---|---|---|
| | A6 | 4010 | Inactive | Monitoring | |
| | A6 | 4013 | Inactive | Monitoring | |
| | A2P3 | 4014 | Inactive | Monitoring | |
| | A2P1 | 4016 | Inactive | Monitoring | |
| | Offsite | 4096 | Inactive | Monitoring | |
| | A8P3 | 4108 | Inactive | Monitoring | |
| | Offsite | 4125 | Total U | Monitoring | |
| | A7 | 4446 | Inactive | Monitoring | |
| | A7 | 4451 | Inactive | Monitoring | |
| | Offsite | 6880 | Total U | Monitoring | |
| | Offsite | 6881 | Total U | Monitoring | |
| | A2P2 | 11064 | Inactive | Monitoring | |
| | A2P2 | 11085 | Inactive | Monitoring | |
| | A1P1 | 13249 | OSDF | Monitoring | |
| | A1P1 | 13250 | OSDF | Monitoring | |
| | A1P1 | 13251 | OSDF | Monitoring | |
| | A1P1 | 13252 | OSDF | Monitoring | |
| | A1P1 | 13261 | OSDF | Monitoring | |
| | A2P2 | 21033 | Total U/Elevations | Monitoring | |
| | Offsite | 21063 | Property/Plume Boundary/Elevations | Monitoring | |
| | A2P2 | 21064 | Elevations | Monitoring | |
| | A2P2 | 21065 | Elevations | Monitoring | |
| | A2P3 | 21189 | Inactive | Monitoring | |
| | A2P3 | 21191 | Inactive | Monitoring | |
| | A2P3 | 21193 | Inactive | Monitoring | |
| | A1P1 | 22199 | OSDF/Property/Plume Boundary | Monitoring | |
| | A1P3 | 22200 | OSDF | Monitoring | |
| | A1P1 | 22201 | OSDF | Monitoring | |
| | A1P1 | 22203 | OSDF | Monitoring | |
| | A1P1 | 22204 | OSDF/Property/Plume Boundary | Monitoring | |
| | A1P1 | 22205 | OSDF/Property/Plume Boundary | Monitoring | |
| | A6 | 22206 | OSDF/Elevations | Monitoring | |
| | A1P2 | 22207 | OSDF | Monitoring | |
| | A1P1 | 22208 | OSDF/Property/Plume Boundary | Monitoring | |
| | A1P2 | 22209 | OSDF | Monitoring | |
| | A1P2 | 22210 | OSDF | Monitoring | |
| | A1P2 | 22211 | OSDF | Monitoring | |
| | A1P2 | 22212 | OSDF | Monitoring | |
| | A1P2 | 22213 | OSDF | Monitoring | |
| | A1P2 | 22214 | OSDF | Monitoring | |
| | A7 | 22215 | OSDF-Planned | Monitoring | |
| | A1P2 | 22216 | OSDF-Planned | Monitoring | |
| | Offsite | 23064 | Total U/Elevations | Monitoring | |
| | A7 | 23118 | Total U/Elevations | Monitoring | |
| | A2P3 | 23271 | Total U/Elevations | Monitoring | |
| | A1P2 | 23272 | Total U/Elevations | Monitoring | |
| | A2P3 | 23273 | Total U/Elevations | Monitoring | |
| | A2P3 | 23274 | Total U/Elevations | Monitoring | |

## FCP Post-Closure Plan 1 : Monitoring Wells

| Grid | Area | Well ID | Well Description | Type | To Be Plugged |
|---|---|---|---|---|---|
| | A2P3 | 23275 | Total U/Elevations | Monitoring | |
| | A2P2 | 23276 | Total U/Elevations | Monitoring | |
| | A2P2 | 23277 | Total U/Elevations | Monitoring | |
| | A2P2 | 23278 | Total U/Elevations | Monitoring | |
| | A2P2 | 23279 | Total U/Elevations | Monitoring | |
| | A2P2 | 23280 | Total U/Elevations | Monitoring | |
| | A2P1 | 23281 | Total U/Elevations | Monitoring | |
| | A2P1 | 23282 | Total U/Elevations | Monitoring | |
| | A2P3 | 31551 | Inactive | Monitoring | |
| | A2P3 | 31552 | Inactive | Monitoring | |
| | A2P3 | 31553 | Inactive | Monitoring | |
| | A2P3 | 31554 | Inactive | Monitoring | |
| | A2P3 | 31555 | Inactive | Monitoring | |
| | A2P3 | 31556 | Inactive | Monitoring | |
| | A2P3 | 82433 | Total U/Elevations | Monitoring-CMT | |
| | A7 | 83117 | Total U/Elevations | Monitoring-CMT | |
| | A2P2 | 83124 | Total U/Elevations | Monitoring-CMT | |
| | A2P3 | 83293 | Total U/Elevations | Monitoring-CMT | |
| | A2P3 | 83294 | Total U/Elevations | Monitoring-CMT | |
| | A2P3 | 83295 | Total U/Elevations | Monitoring-CMT | |
| | A2P3 | 83296 | Total U/Elevations | Monitoring-CMT | |

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Note: An additional 45 wells are planned to be installed prior to 2006

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# FCP Post Closure Plan 2: Water Related Infrastructure

## Structures

| Grid | Area | Bdg No. | Description | Comment |
|---|---|---|---|---|
| 54 | A1P2 | 18P | B-18P Dissolved Oxygen Building | |
| 60 | A7 | 18Q | B-18Q South Plume Interim Treatment | |
| 54 | A1P2 | 18R | B-18R Outfall Line Pit Parshall Flum | |
| | A7 | 18U | 50K Gallon Holding Tank - Injection System | |
| 76 | A2P3 | 18U-IW08 | IW-8 Injection Well | |
| 76 | A2P3 | 18U-IW08A | IW-8A Injection Well | |
| 76 | A2P3 | 18U-IW09 | IW-9 Injection Well | |
| 76 | A2P3 | 18U-IW09A | IW-9A Injection Well | |
| 76 | A2P3 | 18U-IW10 | IW-10 Injection Well | |
| 76 | A2P3 | 18U-IW-10A | IW-10A Injection Well | |
| 76 | A2P3 | 18U-IW11 | IW-11 Injection Well | |
| 77 | A2P3 | 18U-IW12 | IW-12 Injection Well | |
| 68 | A2P3 | 18U-IW16 | IW-16 Injection Well | |
| 60 | A2P2 | 18U-IW29 | IW-29 Injection Well | |
| 68 | A2P3 | 18V-BPCB | B-18V2 Southfield Valve House Backpressure Control Bldg | |
| 68 | A2P3 | 18V-EW15 | EW-15 Extraction Well House | |
| 68 | A2P2 | 18V-EW15A | EW-15A Extraction Well House | |
| 68 | A2P3 | 18V-EW17 | EW-17 Extraction Well House | |
| 68 | A2P3 | 18V-EW18 | EW-18 Extraction Well House | |
| 68 | A2P3 | 18V-EW19 | EW-19 Extraction Well House | |
| 68 | A2P3 | 18V-EW20 | EW-20 Extraction Well House | |
| 69 | A2P3 | 18V-EW21 | EW-21 Extraction Well House | |
| 76 | A2P3 | 18V-EW22 | EW-22 Extraction Well House | |
| 68 | A2P3 | 18V-EW23 | EW-23 Extraction Well House | |
| 76 | A2P3 | 18V-EW24 | EW-24 Extraction Well House | |
| 68 | A2P3 | 18V-EW25 | EW-25 Extraction Well House | |
| 51 | A2P2 | 18V-EW26 | EW-26 Extraction Well House | |
| 44 | A7 | 18V-EW27 | EW-27 Extraction Well House | |
| 44 | A7 | 18V-EW28 | EW-28 Extraction Well House | |
| 69 | A2P3 | 18V-EW30 | EW-30 Extraction Well House | |
| 69 | A2P3 | 18V-EW31 | EW-31 Extraction Well House | |
| 69 | A2P3 | 18V-EW32 | EW-32 Extraction Well House | |
| 68 | A2P3 | 18V-VH | B-18V Southfield Valve House - Dance Floor | |
| 68 | A1P3 | 22F | B-22F Main Gas Meter @Willey Road | |
| 52 | A7 | 51A | B-51A A.W.W.T. Facility | Reduce In Size CAWWT |
| 53 | A1P2 | 90D | B-90D Permanent Leachate Lift Station | |
| 37 | A1P2 | 90D-1 | B-90D-1 OSDF Valve House #1 | |
| 37 | A1P2 | 90D-2 | B-90D-2 OSDF Valve House #2 | |
| 45 | A1P4 | 90D-3 | B-90D-3 OSDF Valve House #3 | |
| 45 | A1P4 | 90D-4 | B-90D-4 OSDF Valve House #4 | |
| 45 | A1P4 | 90D-5 | B-90D-5 OSDF Valve House #5 | |
| 44 | A1P4 | 90D-6 | B-90D-6 OSDF Valve House #6 | |
| 45 | A1P4 | 90D-7 | B-90D-7 OSDF Valve House #7 | |
| 0 | A1P4 | 90D-8 | B-90D-7 OSDF Valve House #8 | |
| 54 | Offsite | NOL54 | New Outfall Line | |
| 55 | Offsite | NOL55 | New Outfall Line | |
| 63 | Offsite | NOL63 | New Outfall Line | |
| 64 | Offsite | NOL64 | New Outfall Line | |
| 76 | A1P1 | NSUB | New Substation (To Be Built) | |
| | A1P2 | 42202 | OSDF Construction Well | Construction |
| | A1P2 | 42471 | OSDF Construction Well | Construction |
| | A1P2 | 43309 | OSDF Construction Well | Construction |
| | Offsite | 3924 | South Plume Extraction Well | Extraction |
| | Offsite | 3925 | South Plume Extraction Well | Extraction |
| | Offsite | 3926 | South Plume Extraction Well | Extraction |
| | Offsite | 3927 | South Plume Extraction Well | Extraction |
| | Offsite | 3928 | South Plume Extraction Well -Inactive | Extraction |
| | A2P3 | 31550 | South Field Extraction Well | Extraction |
| | A2P3 | 31560 | South Field Extraction Well | Extraction |
| | A2P3 | 31561 | South Field Extraction Well | Extraction |
| | A2P3 | 31562 | South Field Extraction Well-inactive | Extraction |
| | A2P3 | 31564 | South Field Extraction Well-inactive | Extraction |

## FCP Post Closure Plan 2: Water Related Infrastructure
### Structures

| Grid | Area | Bdg No. | Description | Comment |
|---|---|---|---|---|
| | A2P1 | 31565 | South Field Extraction Well-inactive | Extraction |
| | A2P2 | 31566 | South Field Extraction Well-inactive | Extraction |
| | A2P2 | 31567 | South Field Extraction Well | Extraction |
| | A2P3 | 32276 | South Field Extraction Well | Extraction |
| | Offsite | 32309 | South Plume Extraction Well | Extraction |
| | A2P3 | 32446 | South Plume Extraction Well | Extraction |
| | A2P3 | 32447 | South Plume Extraction Well | Extraction |
| | A2P2 | 32761 | Waste Storage Area Extraction Well | Extraction |
| | A2P3 | 33061 | South Field Extraction Well | Extraction |
| | A7 | 33062 | Waste Storage Area Extraction Well | Extraction |
| | A7 | 33063 | Waste Storage Area Extraction Well | Extraction |
| | A2P1 | 33262 | South Field Extraction Well | Extraction |
| | A2P3 | 33264 | South Field Extraction Well | Extraction |
| | A2P3 | 33265 | South Field Extraction Well | Extraction |
| | A2P3 | 33266 | South Field Extraction Well | Extraction |
| | A2P3 | 33298 | South Field Extraction Well | Extraction |
| | Offsite | 32308 | South Plume Extraction Well | Extraction |
| | A1P1 | 12338 | OSDF Cell #1 | Horizontal Well |
| | A1P1 | 12339 | OSDF Cell #2 | Horizontal Well |
| | A1P1 | 12340 | OSDF Cell #3 | Horizontal Well |
| | A1P2 | 12341 | OSDF Cell #4 | Horizontal Well |
| | A1P2 | 12342 | OSDF Cell #5 | Horizontal Well |
| | A1P2 | 12343 | OSDF Cell #6 | Horizontal Well |
| | A1P2 | 12344 | OSDF Cell #7 | Horizontal Well |
| | A1P2 | 12345 | OSDF Cell #8 | Horizontal Well |
| | A2P3 | 22107 | Willey Road Injection Well-inactive | Injection |
| | A2P3 | 22108 | Willey Road Injection Well-inactive | Injection |
| | A2P3 | 22109 | Willey Road Injection Well | Injection |
| | A2P3 | 22111 | Willey Road Injection Well | Injection |
| | A2P3 | 22240 | Willey Road Injection Well | Injection |
| | A2P3 | 31563 | South Field Extraction Well | Injection |
| | A2P3 | 33253 | Willey Road Injection Well | Injection |
| | A2P3 | 33254 | Willey Road Injection Well | Injection |
| | A2P3 | 33255 | Willey Road Injection Well | Injection |
| | A2P2 | 33263 | South Field Injection Well | Injection |

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# Site Closure Structures Remaining - Map #3

| Grid | FEMP Grid | Area | ID No. | Description | Object | Comment |
|---|---|---|---|---|---|---|
| 21 | None | A1P1 | Arc01 | Native American Curation Underground | Arch | |
| 18 | None | A8P3 | Arc02 | Indiana Bat and Sloan Crayfish Habitat | Arch | |
| 18 | None | A1P3 | Arc18 | Documented Cultural Resource Area | Arch | |
| 19 | None | A1P3 | Arc19 | Documented Cultural Resource Area | Arch | |
| 20 | None | A1P3 | Arc20 | Documented Cultural Resource Area | Arch | |
| 26 | None | A8P3 | Arc26 | Documented Cultural Resource Area | Arch | |
| 34 | None | A8P3 | Arc34 | Documented Cultural Resource Area | Arch | |
| 35 | None | A8P3 | Arc35 | Documented Cultural Resource Area | Arch | |
| 42 | None | A8P3 | Arc42 | Documented Cultural Resource Area | Arch | |
| 43 | None | A8P3 | Arc43 | Documented Cultural Resource Area | Arch | |
| 59 | None | A8P3 | Arc59 | Documented Cultural Resource Area | Arch | |
| 67 | None | A8P3 | Arc67 | Documented Cultural Resource Area | Arch | |
| 75 | None | A8P3 | Arc75 | Documented Cultural Resource Area | Arch | |
| 76 | None | A8P3 | Arc76 | Documented Cultural Resource Area | Arch | |
| 32 | 32 | A1P2 | 18R | B-18R Outfall Line Pit Parshall Flum | Bldg | |
| 68 | None | A2P3 | 18V-BPCB | B-18V2 South Field Valve House (Backpressure Control Bldg) | Bldg | |
| 76 | None | Offsite | 22F | B-22F Main Gas Meter At Willey Road | Bldg | |
| 26 | 26 | A7 | 51A | B-51A C.A.W.W.T. Facility | Bldg | Reduce In Size |
| 43 | 31B | 7 | B94K | Silo's 1 & 2 North Warehouse | Bldg | |
| 53 | 14 | A5 | MEM | Memorial Garden Area - Bricks & Plaque | Bldg | To Be Relocated ? |
| 13 | None | A1P1 | FG13 | Fence - Mid Boundary - A1P1 | Fence | |
| 14 | None | A1P1 | FG14 | Fence - North FEMP Boundary - A1P1 | Fence | |
| 19 | None | A1P3 | FG19 | Fence - North FEMP Boundary - A1P3 | Fence | |
| 20 | None | A1P3 | FG20E | Fence - Boundary East Of Old North Const Road - A1P3 | Fence | |
| 20 | None | A1P3 | FG20N | Fence - North FEMP Boundary - A1P3 | Fence | |
| 22 | None | A1P1 | FG22 | Fence - Boundary East - A1P1 | Fence | |
| 54 | None | A1P1 | FG54 | Fence - East Boundary - A1P1 | Fence | |
| 62 | None | A1P1 | FG62 | Fence - East Boundary - A1P1 | Fence | |
| 70 | None | A1P1 | FG70 | Fence - East Boundary - A1P1 | Fence | |
| 20 | None | OSDF | FOSDF | Fence - OSDF Perimeter Fence | Fence | |
| 20 | None | A1P3 | G20 | 18' Gate - A1P3 Boundary East Of Old North Const Road | Fence | |
| 30 | None | A1P1 | G30 | 24' Farm Access Gate - A1P1 East Boundary | Fence | |
| 67 | None | A8P1 | FERP | FEMP Ecological Restoration Park | Land | |
| 29 | None | A1P1/2 | 90A | B-90A On-Site Disposal Facility (OSDF) | OSDF | |
| 76 | None | A1P2 | BC01 | Box Culvert (7'x9'11" inside dim.) | Road | |
| 18 | 8 | A8P2 | G18 | Parking Lot w/ Access Gate | Road | |
| 21 | None | A1P1 | G21 | Gate E-6 on OSDF Gravel Access Road | Road | |
| 26 | None | A8P3 | G26 | Parking Lot w/ Access Gate | Road | |
| 26 | None | A8P2 | G26RR | Parking Lot w/ Access Gate - RR | Road | |
| 34 | None | A8P3 | G34 | Parking Lot w/ Access Gate | Road | |
| 75 | None | A8P3 | G75 | Parking Lot w/ Access Gate | Road | |
| 22 | None | A1P1 | GNAR | Security Gate on New North Access Road | Road | |
| 22 | None | A1P1 | NSA | Storage Area North of OSDF | Road | |
| 52 | 26 | 7 | PAWWT | CAWWT Parking Lot | Road | |
| 21 | None | A1P1 | R21 | OSDF Gravel Access Road | Road | |
| 22 | None | A1P1 | R22NN | New North Access Road | Road | |
| 22 | None | A1P1 | R22ON | Old North Access Road | Road | |
| 28 | 31A | A6 | R28 | West WPRAP Access Road | Road | |
| 29 | None | A6 | R29 | County Road | Road | |
| 30 | None | A1P1 | R30 | New North Access Road | Road | |
| 35 | 31A | A6 | R35 | West WPRAP Access Road | Road | |
| 38 | None | A1P1 | R38 | New North Access Road | Road | |
| 46 | None | A1P1 | R46 | New North Access Road | Road | |
| 52 | 28 | A2P1 | R52 | West Access Road | Road | |
| 53 | 8 | A1P2 | R53 | North Access Road | Road | |
| 60 | | A1P2 | R60SC | South Construction Road | Road | |
| 60 | | A1P2 | R60WA | West Access Road | Road | |
| 61 | | A1P2 | R61NA | North Access Road | Road | |
| 61 | 31 | A1P2 | R61SA | South Access Road | Road | |
| 69 | None | A1P2 | R69 | South Access Road | Road | |
| 76 | None | A1P2 | R76 | South Construction Road | Road | |
| 53 | 5 | A1P2 | SWA | Parking Southwest of OSDF | Road | |

## Site Closure Structures Remaining - Map #3

| Grid | FEMP Grid | Area | ID No. | Description | Object | Comment |
|---|---|---|---|---|---|---|
| 26 | None | A1P3 | RRT | RAILROAD TRESSEL | RR | |
| 77 | None | A2P3 | SIGN1 | South Access Road Entrance Sign | Sign | |
| 14 | None | A1P1 | SIGN2 | North Access Road Entrance Sign | Sign | |
| 43 | 31B | 7 | 94B | B-94B Silos 1 & 2 Remediation Facility Slab Foundation | Slab | |
| 43 | 31B | 7 | 94C | B-94C Silos 1 & 2 Transfer Tank Area Slab Foundation | Slab | |
| | None | A1P2 | 4001 | Regulated Stormwater Outfall | Storm | |
| | None | A8P3 | 4003 | Regulated Stormwater Outfall | Storm | |
| | None | A2P1 | 4004 | Regulated Stormwater Outfall | Storm | |
| | None | A2P2 | 4005 | Regulated Stormwater Outfall | Storm | |
| | None | A6 | 4006 | Regulated Stormwater Outfall | Storm | |
| 43 | 31B | 7 | T212 | Trailer T-212 | Trailer | |
| 43 | 31B | 7 | T213 | Trailer T-213 | Trailer | |
| 43 | 31B | 7 | T214 | Trailer T-214 | Trailer | |
| 43 | 31B | 7 | T215 | Trailer T-215 | Trailer | |
| | | | | | | |

# COMPREHENSIVE EXIT AND TRANSITION PLAN
# STEERING COMMITTEE MEETING SUMMARIES

**October 29, 2004**
**December 9, 2004**
**February 22, 2005**
**March 7, 2005**
**March 14, 2005**
**March 22, 2005**

**MEETING SUMMARY ON CET**
**OCTOBER 29, 2004**

Persons in attendance: Bill Taylor, Ralph Holland, Johnny Reising, Terry Hagen, Dennis Sizemore, and Ken Alkema

Purpose of meeting: To provide policy and schedule direction on resolution of DOE comments on the Comprehensive Exit/Transition Plan.

Recommendations from the meetings:

1. Key principles used to direct the effort and provide a basis for comment resolution are:

    •Accelerated Closure/meeting closure schedule is good for both DOE and Fluor Fernald.
    •Important to have agreement on what constitutes Physical Completion as quickly as possible.
    •Understand each person's and organization's interests and needs before suggesting resolution of an issue.
    •Understand and agree to intent of Contract language that may apply to a comment.
    •Keep interactions professional and objective based on needs.

2. Process:

    •Steering Committee – Provide policy direction and issue resolution.
    •CET Plan Comment Resolution Committee – oversee comment resolution process and develop final responses to comments if necessary and final Plan language.
    •Comment Response document – track all comments, responses, actions, and agreement.
    •Set up schedule for completion.
        –Provide draft responses next week.
        –Begin meeting on responses November 8, 2005.
        –Complete as much as possible by November 30, 2004.

3. Definition of End State:

    Section C.1.2 provides direction on the definition of "End State". The language, "In order to achieve site Closure, the following activities including all Contract and Statement of Work requirements, shall be completed:" was discussed. Fluor Fernald pointed out that the intent of the phrase "including all Contract and Statement of Work requirements" related to those activities listed in Section C.1.2; not all of the contract requirements. At the same time, Fluor needs to support DOE's efforts for a smooth transition to LTS. It was decided to review

each of the four points in the End State Section and what would be required in order to declare physical completion.

4. Physical Completion:

•Complete all work required by five approved Records of Decision except for groundwater remediation.

Demobilization of equipment used in remediation will be accomplished as part of Physical Completion.. Equipment needed for Legacy Management would be transitioned to Office of Legacy Management. It is Fluor Fernald's intent to have all contaminated leased equipment offsite and any contaminated government equipment decontaminated and appropriately dispositioned. As discussed there may be a limited amount of uncontaminated equipment that Fluor Fernald may be in the process of getting offsite at the time of physical completion. Fluor Fernald will provide a very limited list of equipment used for remedial actions and a list of equipment needed for contract closeout to the DOE for approval to disposition after physical completion.

Other Fluor Fernald activities, records, and property will be demobilized as part of Contract Closeout and are not part of Physical Completion. This action would be for records and property that are offsite at the time of Physical Completion. For example, there are records that Fluor Fernald will retain after Physical Completion. The CET Plan will provide the details on how these other activities, records, and property will be transitioned to the DOE.

•Restoration based on January 2002 draft of Natural Resources Plan.

Fluor Fernald and DOE agree that no changes will be implemented as a result of the new Restoration Plan that would have an impact on cost and schedule or the existing statement of work. It is DOE's plan to do any infrastructure changes if necessary as a result of the NRD settlement (Educational facility/trails etc.) after Physical Closure without Fluor's Fernald's involvement. Costs for the changes will come out of the 2007 budget.

•Install the infrastructure and develop the necessary plans that establish the specific Long Term Stewardship activities required at the Fernald site.

Current infrastructure needs are based on current RODs. Changes to the infrastructure specified in the RODs will require a evaluation of its impact on Cost and Schedule and Physical Completion. Specific plans are being developed for transition of activities to OLM. The CET Plan will contain the details on infrastructure and plans developed for the site in the Site

Transfer Tool (Matrices showing items to be transitioned and timeframes for transition).

The set up of the "mothballed" trailers etc. for use by Office of Legacy Management is part of Physical Completion.

•Document Closeout

It is the intent of DOE and Fluor Fernald to have as many final Remedial Action Closure documents submitted and approved by the regulatory agencies as possible prior to physical completion. It is our joint intent to submit draft documents to the regulatory agencies and seek their input prior to final submission for regulatory agency review and approval.

Once a final Remedial Action report or interim report for OU5 is submitted officially by DOE to the US EPA, it will constitute acceptance of the report by DOE. Reports that are submitted relatively close to Physical Completion can be accepted by DOE prior to submittal to the agencies. Reports may be submitted to agencies for review prior to formal submittal. Submittal of informal drafts will be far enough in advance of physical completion to not impact the declaration process. It is in the best interest of Fluor Fernald and DOE to have as much as possible reviewed and approved by the agencies prior to documents and parts of documents that will be submitted close to Physical Completion. It is expected that final reports for OU1 and OU2 will be fully approved. It is also expected that most of OU3, OU4, OU5 will have been reviewed an accepted by the agencies prior to Physical Completion. Partial reports will be submitted as work is completed.

Certification reports will be treated similar to final Remedial Action reports. Most of the certification reports will have been approved by the agencies prior to Physical Completion. Certification reports that will be close to the date of Physical Completion will be considered accepted by DOE when sent to the agencies for their review or when DOE accepts the documents prior to transmitting to the agencies. If the Certification reports do not contain the appropriate information, Fluor will be responsible for responding to comments and supplying the information to the Regulators.

Certificates of Disposal and Destruction will be provided for most of the legacy waste shipped offsite. Some waste including mixed waste will be identified that is offsite and in the process of final treatment, disposal, destruction or awaiting certificates of disposal or destruction where the actual certificates will be submitted after Physical Completion. Final

certificates for these wastes will be the responsibility of Fluor, however they will not be necessary for declaration of Physical Completion. Additionally, there may be very small number of containers (At this time, only one container may end up in this category.) that will need to be stored until treatment is available. Fluor Fernald will be responsible and will work with DOE Contracting Officer to develop a plan for the management and ultimate disposition of these containers, but they will not be tied to declaration of Physical Completion.

It is recognized that there will be some newly generated waste that will transition to OLM. The process for this transition will be part of the CET Plan.

DOE has asked that Fluor Fernald complete an interim risk assessment that will assess risk at the point of Physical Completion. Fluor Fernald will complete this risk assessment after declaration of Physical Completion i.e. it is not part of Physical Completion. Some of the information that is needed to complete the risk assessment will not be available until declaration of Physical Completion. It is anticipated that this assessment will be completed during contract closeout.(90 days after physical completion declaration). Fluor Fernald and DOE will work together to determine how this work will be contractually implemented.

•Purpose of CET Plan:

Section C.3.7 Long-Term Stewardship (LTS) states: "The Contractor shall assist DOE's analysis of site transfer readiness into LTS. The readiness analysis shall include the following: authority and accountability, site conditions, engineered controls, institutional controls, regulatory requirements, management of financial and human resources, information management, public outreach, and management of natural, cultural and historical resources. This analysis will be titled the 'FCP/Comprehensive Exit/Transition Plan'..."

The Plan should also contain a clear definition Physical Completion, a transition plan to transition activities from Fluor to DOE prior to Physical Completion, and a Physical Completion Declaration Plan.

The CET Plan is a readiness analysis by Fluor Fernald of DOE's transfer to LTS (Office of Legacy Management) as indicated in the language of the contract. It is understood that DOE will take this plan and turn it into its own plan for readiness review and transition by EM to LM.

SUMMARY OF CE/TP MEETING DOE AND FLUOR FERNALD
DECEMBER 9, 2004

Persons in attendance: Bill Taylor, Ralph Holland, Johnny Reising, Debbie White, John Brown, John Trygier, Nina Akgunduz, Gary Stegner, Terry Hagen, Dennis Sizemore, Frank Johnston, and Ken Alkema, and OLM's Jack Craig and Jane Powell by telephone.

Purpose of Summary: To capture commitments, agreements, and areas of additional work to be conducted to achieve agreement on the exit plan. This summary is not intended to capture all of the discussion; however, it is focused on results of the meeting.

Summary:

Principles:

DOE and Fluor Fernald will only achieve success if they work closely together from now through declaration of physical completion, transition to legacy management, and to the extent practicable, regulatory closeout.

It is the best interest of both entities to come to agreement on a clear definition of physical completion and to achieve the goal of accelerated closure.

Both DOE and Fluor Fernald agree to strive to understand each other's interests and needs and work to help each other accomplish these interests and needs.

Intent of CE/TP – Provide a joint, clear, supportive plan for DOE and Fluor Fernald's successful closure and transition of the site to legacy management.

Section A of the CE/TP provides Fluor Fernald's interpretation of the readiness analysis needed for DOE's site transfer to legacy management (referred to as "Long Term Stewardship" in Contract). Section A shows the conditions that are to be achieved in order to transfer operations into the legacy management phase. Necessary transition activities would be included in the Task Transfer Tool (TTT). The CE/TP contains the requirements from Fluor Fernald's perspective and does not include additional requirements that DOE internally must address for a readiness review for transfer to legacy management. Fluor Fernald will re-write its responses to DOE comments to reflect that the CE/T is written to provide DOE assistance in their readiness analysis.

Sections B and C of the CE/TP are to provide clarity in supporting both DOE and Fluor Fernald's interests in achieving Physical Completion. These Sections are intended to provide a clear picture of what constitutes physical completion, and what will be submitted to the DOE to document preliminary and final declaration of physical completion. These sections also provide a plan for transition of activities and functions to the DOE. Sections B&C are intended to provide a

more detailed level of understand and further refinement of the scope, or "goal line," for the end state to prevent arbitrary interpretation at the end of the project.

Physical Completion

Demobilization of all contaminated equipment off-site. There may be some trailing costs if off-site decon is necessary. A finite period of time to be determined, would need to be allowed for these trailing costs. These costs would be a fully reimbursed part of closure costs for fee determination purposes. Fluor Fernald will share its plan for demobilization of contaminated equipment with DOE. The plan would provide details on Fluor Fernald's plan to demobilize contaminated equipment to minimize and potentially eliminate the need to complete decon of contaminated equipment off-site after the declaration of physical completion.

Fluor Fernald plans to demobilize all other remediation equipment prior to declaration of Physical Completion except for a very limited amount of equipment resulting from the completion of natural resources restoration and OSDF activities. Fluor Fernald will provide a list of this equipment, where it is used, and any justification for leaving onsite to the DOE for their approval at least 90 calendar days prior to declaration of Physical Completion.

Fluor Fernald will have a TTT for transfer of all equipment to DOE needed for legacy management. It is Fluor Fernald's plan to incorporate all of the TTTs in the next CE/T update in January 2005 (Existing draft TTTs can be provided right now.). A milestone for providing the list of equipment to DOE should be included in the TTT.

A milestone date identifying the trigger point at which DOE and Fluor Fernald need to hold discussions should it be anticipated that the agreed upon list of equipment or property will not be able to be achieved by physical completion should also be included to ensure adequate time for risk planning and mitigation strategies

Waste Management

Fluor Fernald's understanding is that there was agreement on the management of waste for which no treatment and disposal pathway was available and for waste off-site awaiting treatment and/or disposal. The language in the "Meeting Summary on CE/TP, October 29, 2004, states:

> "Certificates of Disposal and Destruction will be provided for most of the legacy waste shipped offsite. Some waste including mixed waste will be identified that is offsite and in the process of final treatment, disposal, destruction or awaiting certificates of disposal or destruction where the actual certificates will be submitted after Physical Completion. Final certificates for these wastes will be the responsibility of Fluor, however,

they will not be necessary for declaration of Physical Completion. Additionally, there may be a very small number of containers (At this time, only one container may end up in this category.) that will need to be stored until treatment is available. Fluor Fernald will be responsible and will work with the DOE Contracting Officer to develop a plan for the management and ultimate disposition of these containers, but they will not be tied to declaration of Physical Completion."

A concern was raised by DOE that mixed waste for which there was an offsite pathway for treatment and disposal must be treated and disposed prior to declaration of physical completion.

Fluor Fernald believes that the DOE has the responsibility of providing off-site disposition alternatives and maintain the associated risk of delays but is willing be responsible for this material and include the costs as a fully reimbursed part of closure costs so long as it is not tied to the date of Physical Completion. Fluor Fernald believes that this position is consistent with the previous Steering Committee agreement as well as negotiations for Mod 38 to the Prime Contract.

To help resolve this issue, Fluor Fernald will as part of its response to CE/TP comments provide its plan for disposition of mixed waste from the site. Fluor Fernald also committed to evaluate offsite laboratory waste and the OU3 ROD language on off-site waste disposition as part of the response to comments.

It was Fluor Fernald's position that any trailing costs of mixed waste disposition would be a part of Fluor Fernald's Project Costs for fee determination. A concern over a finite time period for trailing costs was raised by both parties. Need to determine how this would be handled for this item.

For newly generated waste, Fluor Fernald will provide its plan for managing newly generated waste to minimize the amount of waste left to after the declaration of Physical Completion. Fluor Fernald does agree that it has the obligation to work in good faith during closure to identify and minimize quantities. 90 days prior to the declaration of Physical Completion, Fluor Fernald will provide a specific list of waste and general quantities that will be present at the time of declaration. At this point in time, the only waste identified that would need off-site disposal is waste from the operation of CAWWT; however, other very limited quantities may be included.

A milestone date in the appropriate TTT identifying the trigger point at which DOE and Fluor Fernald need to hold discussions should it be anticipated that the agreed upon waste inventory will not be able to be achieved by physical completion should also be included to ensure adequate time for risk planning and mitigation strategies.

Property Disposition

Fluor Fernald will provide its plan to help identify the scope of the issue as part of its response to comments on the CE/TP for property disposition. DOE expressed a specific concern for the amount of Silos property and possibility of inadequate timeframe for disposition in the end schedule and would specifically expect it to be addressed in the Fluor Fernald plan. Fluor Fernald does agree that it has an obligation to work in good faith during closure to minimize quantities property remaining. It is Fluor Fernald's intent to have as much property dispositioned as possible prior to the declaration of Physical Completion but that the remainder of the property can be dispositioned during contract closeout. This property would not be on-site except for items being transferred to DOE for legacy management.

A milestone date in the appropriate TTT identifying the trigger point at which DOE and Fluor Fernald need to hold discussions should it be anticipated that the agreed upon waste inventory will not be able to be achieved by physical completion should also be included to ensure adequate time for risk planning and mitigation strategies.

Records Disposition

DOE's position is that all records other than those destined for local DOE should be dispositioned prior to the declaration of Physical Completion.

To help resolve this issue, Fluor Fernald will provide its plan for records disposition to DOE. This plan has been shared during discussions on transition to legacy management. A TTT is being developed to provide for the transfer of records to DOE for legacy management and will become part of the CE/TP. Fluor Fernald agrees that it has an obligation to work in good faith during closure to minimize quantities of records needing disposition. Fluor Fernald's plan is to disposition records as quickly as possible and minimize those that need to be disposition during contract closeout. It is Fluor Fernald's position that records disposition except for the need to help provide a smooth transition to legacy management is independent of the declaration of physical completion.

Submittal of Contract Close-out Plan

It was agreed that it was a good idea to develop this plan earlier than the time of declaration of Physical Completion. The Contract Close-out Plan will provided to DOE no later than six months prior to the declaration of Physical completion and earlier if possible. The current goal is for no later than the end of September 2005 for the first draft. The Contract needs to reflect this change.

LMICP

The LMICP will be revised in February 2005. Meetings will be held with the regulatory agencies to resolve comments. Minor changes will be incorporated in

September 2005 to update site conditions and agreements. It was agreed that the baseline needed to be defined today (based on 2002 NRRP, etc.) and any changes negotiated to that baseline will be considered a change in contract scope that must be evaluated and managed accordingly. Fluor Fernald & DOE conceptually agreed that if the change was reasonable to complete with physical completion, Fluor Fernald would agree to complete. If not reasonable to complete with physical completion, an IDIA-type contract may be used to address new scope. It was also agreed that Fluor Fernald would provide a list of the current infrastructure and institutional control needs specified under the contract including the current LMICP.

Closure Date: March – June - Contract Target - ???

It was agreed that both DOE and Fluor Fernald dates will be recognized with the understanding that it is Fluor Fernald's plan to declare Physical Completion on March 31, 2006. The current agreed to date for transition of functions to legacy management is April 19, 2006, which is predicated upon the March 31, 2006 date.

Final Remedial Action Reports – Construction Completion Reports --- Certification Reports --- Other Reports.

Fluor Fernald and DOE plan to aggressively pursue conditional approval and approval of all Final Remedial Action Reports, Certification Reports, and any other reports with the Regulatory Agencies. It is in both our interests to clearly and quickly establish the standards for approval of all of the documents. This understanding has already been established for Soil Certification Reports for example. Also, the regulatory agencies have agreed to review Final and Preliminary Remedial Action Reports and give conditional approvals on the reports submitted. The plan is to have as much as 90 percent of the Final or Interim Remedial Action Report information approved prior to the declaration of Physical Completion. However, there will be reports that are part of the Final and Interim Remedial Action reports that will not have been approved by the agencies. To prevent or minimize the possibility of having the complete un-reviewed OU5 draft report submitted to DOE and the declaration on the same day, the plan and schedule for the completion of the remaining Soil Certification Reports, OSDF Cap QA/QC Reports, Natural Resources Completion Reports will be provided in the CE/TP. These schedules will be used to help both DOE and Fluor Fernald to understand the plan for completing all of the work that will be documented in the Final/Interim Remedial Action Reports. The dates are for planning purposes only.

It is Fluor Fernald's explicit understanding that if the Final/Interim Remedial Action Reports that are submitted at the time of declaration of Physical Completion meet the standards of previously approved documents DOE should not withhold acceptance of the declaration for this item. Fluor will add language to the CE/TP response comments that captures the understanding that the

documents must follow the same standards of documents previously submitted and approved.

Fluor Fernald and DOE agree that information required for Preliminary Construction Completion Reports to be produced by US EPA if within the information necessary for Physical Completion should be provided.

Task Transfer Tool (TTT)

It was agreed that the matrices that are being developed by Fluor Fernald and DOE to transfer functions and activities to DOE for legacy management will become part of the next revision to the CE/T plan. The TTTs are by functional area and have not been cross-referenced to the nine dimensions. Fluor Fernald is willing to evaluate the possibility of providing the cross-referencing.

Fluor Fernald also agreed to include milestones into the TTT relating to property disposition, records disposition, waste disposition, etc. that would be status indicators of whether the assumptions for scope to be completed by physical completion needed to be re-evaluated but not as contractually binding criteria for physical completion. .

"1 year Update to CE/TP

It was agreed that the current CE/T plan would be updated to incorporate all of the comment resolutions as quickly as possible. The goal would be to have this plan updated by January 31, 2005. The LMIC is to be updated in February 2005. The Plan would be updated through addendums to the Plan by September 30, 2005 (six months prior to the 3/31/06 forecast date for physical completion) to incorporate changes and understandings that might occur after the January revision. The Contract needs to reflect this change.

Additional Business Closure Functions

It was agreed that the Contract Close-out Plan would serve as the "tenth" key element and be submitted no later than September 30, 2005. To the extent possible the plan will be submitted earlier.

Additional Commitments

Fluor Fernald agreed to revise its response to comments based on the discussion and to also provide suggested language for the Action portion of the comment response document.

DOE and Fluor Fernald agreed that an interim risk assessment of the site would be provided to DOE within 90 days of the declaration of Physical Completion.

The details of how this will be accommodated based on the current contract will be determined.

DOE and Fluor Fernald need to reach agreement on the interpretation of the F.6. clause of the contract (i.e. whether or not the closure date is fixed if DOE does not accept the declaration as "reasonable").

Meeting Summary
CE/T Plan – Steering Committee Meeting
February 22, 2005

Persons in attendance: Johnny Reising, Bill Taylor, Ralph Holland, Debbie White, John Brown, Gary Stegner, Jack Craig (By Phone), Dennis Nixon, Dennis Sizemore, Ken Alkema

DOE and Fluor Fernald have differing interpretations of the scope of clauses in the contract including:

- Clause F. 7, Contract Closeout - "...will include all remaining administrative matters necessary to close out the contract, **including but not limited to**..."
- Clause C.1.2 , End State – "In order to achieve Site Closure the following activities **including all Contract and Statement of Work** requirements shall be completed" DOE and Fluor Fernald
- Clause B.11, Items Excluded from Target Cost Numbers – "...costs associated with contract closeout activities that **occur after Site Closure**."

In order to resolve differing interpretations, a summary of the discussions, agreements, and additional actions under each agenda item follow:

**Contaminated Equipment – <u>Tentative Agreement</u>**

There was agreement that Fluor Fernald would prepare a list of expected types and quantities of equipment that might still be in the process of off-site decontamination and disposition at the time of declaration of physical completion. The goal is to have the list submitted to the meeting participants by March 4, 2005 and meet again on March 8, 2005 at 2:00 in the UNO conference room. The Steering Committee is tentatively in agreement on the management of contaminated equipment depending on the magnitude of the equipment and the magnitude of the projected cost in the list to be provided. It is agreed that contingent on the magnitude of the projected costs, Fluor Fernald would be able to declare physical completion while the equipment on the list was in the process of decontamination and disposition. Fluor Fernald would have 90 days to complete the disposition of the equipment after which the cost for disposition would become non-reimbursable costs and as such, would be Fluor Fernald's responsibility. The cost incurred during the 90 days would count towards the overall project cost for incentive fee determination.

**Other uncontaminated remediation equipment – Property Disposition - <u>Needs further discussion.</u>**

There was agreement that Fluor Fernald would prepare a list of the expected types and quantities of uncontaminated equipment that might be present at the time of the declaration of physical completion and submit it to the participants by March 4, 2005. Fluor Fernald will also prepare a list of other property types and

quantities that may be present at the time of the declaration of physical completion. A plan for the disposition of this property will also be provided. The plan will identify property used in remediation that will be dispositioned by Fluor in a finite timeframe to be agreed upon by the parties, property that will be needed for Contract Closeout, and property to be transferred to LM (this part of the plan is being developed with LM and the Fluor Fernald respective subject matter expert). Pending receipt and review of the list of property types and quantities present at the time of physical completion, DOE's position is that only the costs associated with property that is needed as part of Contract Closeout will be excluded for fee determination purposes as part of Contract Closeout costs addressed in Clause B.11. Fluor Fernald's position is that costs for the disposition of clean equipment and property after the declaration of physical completion is part of Contract Closeout cost and not part of overall project cost for incentive fee determination purposes.

**Document Disposition – Agreement**

Fluor Fernald will provide additional information on records disposition showing records to be dispositioned after the declaration of physical completion. Fluor Fernald will demonstrate a "good faith" effort to disposition all records according to its approved Records Disposition Plan and Schedule. The additional information will provide a description of the type of records remaining after declaration of physical completion and the schedule for completing the disposition of these remaining records. DOE and Fluor Fernald agree depending on the magnitude and cost of dispositioning records after the declaration of physical completion that records may be dispositioned during contract closeout.

**Mixed Waste where no treatment/disposal option is available – <u>Agreement</u>**

It was agreed that Fluor Fernald and DOE would work jointly to find a place at another DOE site with similar waste to store the waste for ultimate disposition. Once the waste was in storage, it would become the responsibility of that DOE site. At the present time, only one container is known to be a potential for this category. Fluor Fernald and DOE will work diligently to dispose or store these wastes prior to declaration of physical completion. Need to clarify what happens if off-site storage is not an option. The inference from the discussion is that the waste becomes DOE's to manage after the declaration of physical completion. This point has not yet been fully discussed.

**Mixed Waste – off-site and in the process of treatment and disposal or awaiting paper work – <u>Tentative agreement</u>**

Fluor Fernald would make all reasonable efforts to complete disposition of all of the mixed waste. The schedule is to have all of it off-site by March 31, 2005. The Fluor Fernald plan also provides for all of the waste to be treated and disposed by the time of the declaration of physical completion. If all of the waste

has not been disposition or paperwork is still lacking, it is agreed that it will not interfere with Fluor Fernald's ability to declare physical completion. Fluor Fernald is willing to support the completion of this work for one year following the declaration of physical completion with the cost being part of the overall project cost for fee determination. This agreement assumes that Envirocare and the TSCA incinerator can treat the VTD waste. If these treatment options become unavailable, the VTD waste would become mixed waste that has no treatment option.

The RODs only require that the waste be shipped off-site for disposition. RCRA also only requires that a generator ship waste to a permitted facility. TSCA does require that the generator obtain a certificate of destruction/disposal. Fluor Fernald's disposition process requires the submittal of a certificate of disposal/destruction for all Mixed Waste and TSCA waste. However, it has not been a contract requirement.

**Infrastructure changes from Natural Resources Damage Claim and LIMICP – Agreement**

Any structures needed for legacy management that Fluor Fernald will have to leave behind need to be identified prior to July 1, 2005 to provide adequate time to change the OU3 ROD. Any additional construction required by the Natural Resources Damage Claim, trails, remodeling etc, will be done after Fluor Fernald's declaration of physical completion and is not part of Fluor Fernald's current contract.

DOE EM and LM will work to identify decisions in the areas of infrastructure and security in advance of FFIs activities to promote efficiencies where available (e.g. utilities to temporary structures, security needs, etc.).

**Final/Interim Remedial Action Reports – Acceptance by DOE – Agreement**

It was agreed that Fluor Fernald and DOE will continue the practice of preparing Final and Interim Action reports for DOE and regulatory agency review. It is expected that more than 90 percent of the work with DOE and the agencies will have been completed prior to declaration of physical completion. Reports submitted within 90 days of the declaration of physical completion will be considered "accepted by DOE" if they follow the same format and content of previous submittals. DOE can always use its "punch list" ability if the documents do not meet the same content level.

**Management of new transition items identified – Agreement**

It was agreed that the Task Transfer Tool (TTT) would be used to manage any new transition items.

**Sunsetting Regulatory Requirements – Tentative Agreement**

It was agree that Fluor Fernald would work with DOE to develop a schedule for eliminating regulatory agreements. Many of these agreements will not be able to be eliminated until all Final/Interim Remedial Action Reports are approved by the agencies. A list will be prepared that identifies all regulatory agreements and the strategy for sunsetting each agreement. The list will be divided into three areas, agreements that can be sunsetted prior to declaration of physical completion, agreements that can be sunsetted in parallel with the approval of the Remedial Action Reports, and agreements that can only be sunsetted after groundwater remediation. Fluor Fernald will provide a good faith effort to help DOE sunset the agreements according to the categories identified until declaration of physical completion. The sunsetting of these specific agreements should not be considered part of the end state envisioned for physical completion.

**Newly Generated Waste – Need further discussion**

It was agreed that Fluor Fernald would provide a list of waste types and quantities that may be present at the time of declaration of physical completion by March 4, 2005. These wastes would be from activities that were occurring shortly before declaration of physical completion. Two options are being considered. The first is that DOE would take over Fluor Fernald's Newly Generated Waste program and dispose at Fluor Fernald's expense any waste that were in the normal "pipeline" for disposal. These wastes would be the same type of wastes that DOE would need to dispose during legacy management. The other option is to provide a period, one month for example, to allow Fluor Fernald to dispose of these wastes post physical completion declaration (This option has a potential problem because there might be no workers that Fluor Fernald would have in place to do the work.). The cost of disposal would be part of the project cost.

**Other Issue:**

Contracting Officers for DOE and FFI agreed to take an action to reach agreement on the interpretations of Contract Clause F.6 regarding fixation of the completion date if the declaration of physical completion is not determined reasonable during DOE's 14 day review.

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# SUMMARY OF CE/T PLAN STEERING COMMITTEE MARCH 7, 2005

Persons in Attendance: Ralph Holland (By phone), John Brown, Debbie White, Gary Stegner, Johnny Riesing, Jack Craig, Jane Powell, Dennis Nixon, Dennis Sizemore, and Ken Alkema

Discussion:

1. Equipment/Property Plan – Tentative agreement based on discussion in Meeting Summary for February 22, 2005. At this meeting, it was agreed that Johnny Reising and Debbie White needed to see the property/equipment details for both contaminated equipment (Up to 35 pieces of equipment expected to be in the D&D pipeline) and all other property/equipment before full agreement on this item. Plan to meet this week to go over. Also, Fluor Fernald needs to provide an estimate of the cost of managing equipment/property required after the declaration of physical completion. Property to be turned over to DOE/LM will be tracked with the appropriate TTT.
2. Records Disposition Plan – Agreement. Several comments on the figure "Record Archiving Plan" were made. Fluor Fernald needs to provide information back to DOE on records to support unfinished DCAA audits and records to support open legal cases. It is unclear who needs to actually hold these records. Further, "Records turned over to LM" should read, "Records turned over to DOE". Fluor Fernald needs to provide an estimate of the costs for managing after Declaration of Physical Completion. The TTT for records will be used to track transfer of record activities to DOE.
3. Mixed Waste Disposition – Agreement based on Meeting Summary for February 22, 2005 meeting. At this point in time, there are no wastes that should be "orphan". DOE and Fluor Fernald will track progress in achieving mixed waste disposition through the "project" tracking system. The CE/T Plan will identify that this tracking system will be used.
4. Newly generated waste transition plan – Tentative Agreement. Internal DOE discussions needed this week to make sure that there are no remaining issues. A TTT will be developed to transition waste disposal contracts, identify types and quantities (Hand out for meeting will be used as basis.), and support management of wastes generated during legacy management. It was also agreed that a cost estimate would be developed prior to Declaration of Physical Completion for managing Fluor Fernald wastes left after declaration. These costs would be part of the project cost for fee determination purposes. Fluor Fernald will verify that provisions are included in Fluor Fernald waste disposal services subcontracts that will allow assignment to DOE or designee.
5. Enforcement Agreements – Agreement. Copies of the handout will be sent electronically to the participants. Fluor Fernald will support DOE in "sunsetting" agreements as identified on the meeting handout. Copies of the document will also be attached to this summary.

6. Any comments on the "summary" of the February 22, 2005 meeting need to be sent to Ken Alkema for a final revision.
7. Fluor Fernald plans to revise the comment response document and get out to reviewers by March 11, 2005. Comments on the document should be submitted by March 18, 2005. Fluor Fernald plans to issue a revised CE/T Plan by March 31, 2005. Open discussion between Fluor Fernald and DOE during the review of the comment response document to resolve issues is encouraged. The Steering Committee summaries should be used as the guide for resolving issues.

| Agreement Title and Date | Parties Involved | Termination Clause | Status Relative to Declaration of Physical Completion |
|---|---|---|---|
| State of Ohio Complaint – March 1986 | | | Assumed Closed |
| Federal Facility Compliance Agreement – July 1986 | USDOE and USEPA | No specific termination clause. The FFCA was executed to ensure compliance with laws and regulations under the CAA, RCRA, and CERCLA and that a comprehensive RI/FS is performed. "Upon demonstration of compliance with USDOE with this agreement, there will be a continuing obligation to comply with applicable permit and other requirements under the relevant statutes.<br><br>***Item 2J of this agreement requires that after completion of work, USEPA evaluate the remedial action and either approve or specify the steps necessary to complete remedial action.*** | Cannot be closed prior to physical completion. Perhaps can be closed with the tri-party agreement to be negotiated |
| Director's Findings and Orders - June 1987 | USDOE, Westinghouse, and OEPA | No specific termination clause. Many of the specific orders were rolled into the December 1988 Consent Decree. | Can be closed prior to physical completion. Demonstration can be based on either the orders being incorporated into the Consent Decree or based on all orders effectively being moot when remediation is complete (Because there are orders specific to the waste pits, BSL, and SWRB, remedial actions for these facilities would have to be complete.<br><br>Based on demonstration strategy, can be closed in summer 2005 or January 2006 |
| FFCA First Modification – June 1988 | USDOE and USEPA | No specific termination clause. Amended language relative to the enforceability provisions in the FFCA and added language relative to review of submittals. | Cannot be closed prior to physical completion. Perhaps can be closed with the tri-party agreement to be negotiated |

| Agreement Title and Date | Parties Involved | Termination Clause | Status Relative to Declaration of Physical Completion |
|---|---|---|---|
| Consent Decree – December 1988 (US District Court) | USDOE and State of Ohio | Section 13.2 states the "Decree shall terminate as to DOE upon completion of the mandatory relief ordered herein, or upon the passage of 5 years from its effective date, whichever is later." An item by item cross walk demonstrating compliance submitted to and approved by USEPA with concurrence from the court seems to be needed. | Cannot be closed prior to physical completion. Negotiations could be initiated with the State of Ohio as to what constitutes a successful demonstration |
| Consent Decree – December 1988 | WMCO and State of Ohio via the US District Court | Section 9.2 states the "Decree shall terminate upon the passage of 5 years from its effective date." | Closed |
| Stipulation and Settlement Agreement for issues regarding Waste Pit 4 - 12/19/88 | USDOE and USEPA | Section V.8 of the June 1996 Integrated RCRA/CERCLA DF&O states that compliance with the DF&O satisfies the requirements of this Agreement and that closure of Waste Pit 4 will continue under the DF&O | Closed |
| States Charges in Contempt of Court | USDOE, WMCO, and State of Ohio | Stipulated Amendment to December 1988 Consent Decree (SACD) and Settlement of Contempt Charges – January 1993 | Closed based on the SACD |

| Agreement Title and Date | Parties Involved | Termination Clause | Status Relative to Declaration of Physical Completion |
|---|---|---|---|
| Consent Agreement – April 1990 (Amended 1986 FFCA provisions relating to completion of RI/FS and remedial action.) | USDOE and USEPA | Section 36 states the "provisions of this Agreement shall be deemed satisfied upon the receipt of written notice from USEPA that USDOE has demonstrated to USEPA's satisfaction that all terms of this agreement have been completed."<br><br>***Section XI C states that all documents approved pursuant to Section XI Remedial Design/Remedial Action shall be incorporated into and an enforceable part of the agreement.***<br><br>***Section XV is an additional work clause that provides USEPA the authority to requires additional work they deem necessary (subject to dispute resolution) to accomplish the objectives of the agreement.*** | Cannot be closed prior to physical completion. Would remain open until all remedial activities have been completed (groundwater). |
| Amended Consent Agreement – September 1991 (Amended 1990 Consent Agreement) | USDOE and USEPA | Section 37 states the "provisions of this Agreement shall be deemed satisfied upon the receipt of written notice from USEPA that USDOE has demonstrated to USEPA's satisfaction that all terms of this agreement have been completed."<br><br>***Section XI D identifies the potential for conducting a site-wide residual risk assessment to be submitted following completion of all response actions. The requirement to submit is determined by CERCLA, NCP or USEPA policy.***<br><br>***Section XI E states that all documents approved pursuant to Section XI Remedial Design/Remedial Action shall be incorporated into and an enforceable part of the agreement.***<br><br>***Section XV is an additional work clause that provides USEPA the authority to requires additional work they deem necessary (subject to dispute resolution) to accomplish the objectives of the agreement.*** | Cannot be closed prior to physical completion. Would remain open until all remedial activities have been completed (groundwater). |

| Agreement Title and Date | Parties Involved | Termination Clause | Status Relative to Declaration of Physical Completion |
|---|---|---|---|
| Federal Facilities Agreement (Radon Emissions)– November 1991 | USDOE and USEPA | Section 14 states the "Agreement shall terminate upon (1) mutual consent of the parties, ***or (2) demonstration of compliance in accordance with paragraphs 25 and 33 of this Agreement over a period of 1 year following completion of all relevant remedial actions." The referenced sections limit Rn-222 emissions are no greater than 20 pCi/m$^2$-s as an average for the entire radon emitting source (e.g. waste pit, silo, etc.).*** | Could be closed shortly after physical completion. Triggered by the completion of the silos remediation and USEPA's approval of the OU1 and OU4 Final Remedial Action Report. Assume the FFA could be closed based on the waste being removed and the soils remediated to established FRLs. Specific demonstration of compliance with the flux rate would seem to be unnecessary.<br><br>Target June 2006 |
| Stipulated Amendment to December 1988 Consent Decree and Settlement of Contempt Charges – January 1993 | USDOE and State of Ohio | Termination provisions of the December 1988 Consent Decree were not altered by this amended decree. Therefore the amended provisions of the decree would need to be satisfied in a manner described for the original decree. | Cannot be closed prior to physical completion. Negotiations could be initiated with the State of Ohio as to what constitutes a successful demonstration |
| OU2 Dispute Resolution under the September 1991 ACA | USDOE and USEPA | No specific termination clause. The implementation of the supplemental environmental project, payment of assessed penalties, and compliance with the revised submittal schedules for OU's 1, 2, 3, & 5 originally specified in the ACA | Assumed closed (SEP's implemented, fines paid, submittal schedules met) |
| OEPA Directors Findings and Orders: Groundwater Monitoring – November 1993 (Amended September 2000) | USDOE, FERMCO, and OEPA | Section VIII states the orders shall terminate upon certification by USDOE that all obligations under the orders have been performed and OEPA DHWM accepts this certification. The orders may also terminate upon notification to USDOE by OEPA DHWM that USDOE is no longer required to maintain the groundwater monitoring systems. **E-MAIL FROM OEPA ATTORNEY TO R. HOLMES STATES THAT 9/93 DFO TERMINATED WITH THE EXECUTION OF 9/00 DFO** | Closed |

| Agreement Title and Date | Parties Involved | Termination Clause | Status Relative to Declaration of Physical Completion |
|---|---|---|---|
| OEPA Directors Findings and Orders: UNH – December 1994 | USDOE, FERMCO, and OEPA | Section VI states the orders shall terminate upon certification by USDOE and/or FERMCO that all obligations under the orders have been performed and OEPA DHWM accepts this certification. **CLOSED** | Closed |
| OEPA Directors Findings and Orders: Site Treatment Plan – October 1995 | USDOE and OEPA | Section XIV states the orders shall terminate upon certification by USDOE all obligations under the orders have been performed or that all mixed wastes subject to these orders are stored and will continue to be stored in compliance with OAC 3745-59-50 (replaced by 3745-270-50) and OEPA DHWM accepts this certification or demonstration.<br><br>***Newly generated remediation mixed wastes not similar to composition to legacy mixed wastes may need special handling/treatment.*** | Can be closed prior to physical completion. Triggered by the last shipment of hazardous/mixed waste being made. Will have to address continuing waste generation practices and demonstrate compliance with applicable regulations for those wastes.<br><br>Target September 2005 |
| OEPA Directors Findings and Orders: RCRA/CERCLA Integration – June 1996 | USDOE, FERMCO and OEPA | Section VIII states the orders shall terminate, as to USDOE, upon certification by USDOE all obligations under the orders have been performed OEPA DHWM accepts this certification. ***As to FERMCO, all obligations terminate upon the effective date of the termination of the contract with USDOE. (FERMCO liable for any violation of the orders prior to contract termination)***<br><br>***Exempt from certification of closure (OAC 3745-66-15) provided Remedial Action Reports are submitted for HWMU's in OU's 1,3, and 5 within 60 days from completion of remedial activities (completion determined by USEPA in accordance with CERCLA)*** | Can be closed shortly after physical completion with EPAs approval of the last soil certification report and/or approval of the final remedial action reports.<br><br>Target June 2006 |
| Agreement to Amend the ACA – June 1996 | USDOE and USEPA | This agreement amends the ACA by deleting the requirement for the submission of the Comprehensive Sitewide Operable Unit documents. Termination provisions of the ACA were not modified. | ACA should be appropriately amended with this document. However, the document does not change the ACA closure status. |

| Agreement Title and Date | Parties Involved | Termination Clause | Status Relative to Declaration of Physical Completion |
|---|---|---|---|
| OU4 Dispute Resolution under the ACA – July 1997 | USDOE and USEPA | No specific termination clause. Demonstration that the terms of the resolution are met. | Assumed closed |
| OEPA Directors Findings and Orders: Groundwater Monitoring – September 2000 | USDOE, OEPA, Fluor Fernald | Section VIII states the orders shall terminate upon certification by USDOE that all obligations under the orders have been performed and OEPA DHWM accepts this certification. The orders may also terminate upon notification to USDOE by OEPA DHWM that USDOE is no longer required to maintain the groundwater monitoring systems. Terminates as to Fluor upon the termination of it's contract with USDOE (still liable for violations prior to contract termination)<br><br>***GW monitoring implemented through IEMP. IEMP remains in effect throughout duration of remedial activities as determined by OEPA.*** | Can be closed shortly after physical completion with the approval of the last soils certification area and the approval of theOU3 Final Remedial Action Report and OU5 Interim Remedial Action Report<br><br>Target June 2006 |

MEETING SUMMARY – PROPERTY DISCUSSIONS
MARCH 14, 2005

Persons in Attendance: Johnny Reising, Debbie White, Dennis Nixon, Kathy Reid, and Ken Alkema

Purpose of Meeting: To discuss property disposition and seek agreement on how uncontaminated property disposition is related to Declaration of Physical Completion.

Fluor Fernald reminded the group that there would be approximately 35 pieces of contaminated equipment off-site to be deconned and dispositioned as mentioned in previous meetings. However, depending on the method of transportation for debris from the D&D of the Silos 1&2 project, there may be 60 railcars that are also that are in the process of decon and disposition. A decision on the railcars will be made prior to July 1, 2005.

The summary information presented by Fluor Fernald is attached to this summary. The February meeting minutes have indicated DOE's position that only the costs associated with property that is needed as part of Contract Closeout will be excluded from fee determination purposes, but Fluor's position is that costs for the disposition of clean equipment is part of Contract Closeout and excluded from fee determination. The uncontaminated equipment list provided yesterday remains the largest outstanding issue between the parties. DOE believes the current list contains items that were being proposed by Fluor as part of Contract Closeout, but are felt to be part of the project and therefore target cost.

DOE indicated a need to review the list and determine if their was agreement on clean property disposition.

# Property to be Dispositioned at (or after) Declaration of Physical Completion

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| Project | FSC Description | Totals |
|---|---|---|
| **Silos** | | |
| | Material Handling Equipment | 4 |
| | Motor Vehicles | 1 |
| | Tractors | 2 |
| **Silos** | | **7** |
| **Operations & Support** | | |
| | Electrical Wire/Power Equipment | 9 |
| | Rolling Stock | 9 |
| | GSA Leases | 9 |
| | Leased Equipment | 1 |
| | Material Handling Equipment | 9 |
| | Motor Vehicles | 5 |
| **Operations & Support** | | **53** |
| **Program Support & Oversight** | | |
| | Communication Equipment | 284 |
| | Electrical Equipment Components | 1 |
| | Hand Tools | 2 |
| | Instrument/Lab Equipment | 32 |
| | Material Handling Equipment | 1 |
| | Measuring Tools | 1 |
| | Metal Bars | 2 |
| | Office Equipment | 40 |
| | Photo Equipment | 24 |
| | Security Detection Systems | 1 |
| | Software Equipment | 1001 |
| **Program Support & Oversight** | | **1398** |
| **D&D** | | |
| | Material Handling Equipment | 1 |
| **D&D** | | **1** |
| **Soil & Water/OSDF** | | |
| | Agricultural Equipment | 2 |
| | Electrical Wire/Power Equipment | 1 |
| | Rolling Stock | 8 |
| | GSA Leases | 4 |
| | Leased Equipment | 103 |
| | Material Handling Equipment | 1 |
| | Motor Vehicles | 2 |
| **Soil & Water/OSDF** | | **121** |
| **TOTAL** | | **1580** |

MEETING ON CET – PROPERTY
MARCH 22, 2005

Persons in attendance: Johnny Reising, Debbie White, Dennis Nixon, Kathy Reid, and Ken Alkema

Purpose of Meeting: To reach agreement on how to handle clean property disposition relative to the Declaration of Physical Completion. To review updated property list for March 31, 2006.

Fluor has further scrubbed the property list and bottom line numbers have gone from 2615 pieces of equipment on the March 7th list, to 1580 on March 14th, and 657 on March 22nd. Of the 657 in today's list, 476 are data process equipment/computers/photo equip, etc. (refer to attached summary for breakout).

Fluor also agreed to further categorize the list for those items to be transferred to LM and those needed for ongoing contract closeout. This will reduce the number to be dispositioned by Fluor in the 90 days after declaration even further. Fluor will also be going out to all project managers in the next two weeks to refine the list a bit more (the version we got today was a scrub primarily by Kathy Reid) and has committed to provide monthly updates on property disposition progress so we can continue to see the reductions over time as part of the "good faith" effort. All parties agree it is in our interest to continue to shrink the list.

DOE and Fluor Fernald agreed to this approach for resolving the clean property disposition issue allowing Fluor Fernald to disposition clean property that is not going to be used for contract closeout or legacy management within 90 days of the Declaration of Physical Completion as part of Contract Closeout Costs. Fluor Fernald has committed to provide monthly updates of property disposition to demonstrate a "good faith" effort to disposition all property as rapidly as possible when it is no longer needed at the site.

# Equipment to be Dispositioned at end of Contract - Summary

5908

| Projec | Description | FSC Code | FSC Detail | QTY |
|---|---|---|---|---|
| 1.1.1.H | Silos | GOVT OWNED | MOTOR VEHICLES | 1 |
| | | | TRACTORS | 2 |
| | | | MATL HANDLING EQUIP | 4 |
| | | | | 7 |
| 1.1.3.E | Operations & Support | GOVT OWNED | CLEANING EQUIP | 1 |
| | | | ELECTRICAL WIRE/POWER EQUIP | 9 |
| | | | GOVT | 19 |
| | | | MATL HANDLING EQUIP | 9 |
| | | | MOTOR VEHICLES | 5 |
| | | GSA VEHICLES | GSA | 9 |
| | | LEASED EQUIPMENT | LEAS | 1 |
| | | | | 53 |
| 1.1.3.N | Program Support & Oversight | GOVT OWNED | MATL HANDLING EQUIP | 1 |
| | | OTHER PROPERTY | INSTRU/LAB EQUIP | 32 |
| | | | AUTOMATIC DATA PROCESS EQUIP | 311 |
| | | | COMMUNIC EQUIP | 101 |
| | | | HAND TOOLS | 2 |
| | | | MEASURING TOOLS | 1 |
| | | | METAL BARS | 2 |
| | | | MISCELLANEOUS | 9 |
| | | | OFFICE EQUIP | 40 |
| | | | PHOTO EQUIP | 24 |
| | | | SECURITY DETECTION SYSTEMS | 1 |
| | | | ELEC EQUIP COMPONENTS | 1 |
| | | | | 525 |
| 1.1.4.B | D&D | GOVT OWNED | MATL HANDLING EQUIP | 1 |
| | | | | 1 |
| 1.3.C.G | Soil & Water/OSDF | GOVT OWNED | AGRICULTURAL EQUIP | 2 |
| | | | ELECTRICAL WIRE/POWER EQUIP | 1 |
| | | | GOVT | 8 |
| | | | MATL HANDLING EQUIP | 1 |
| | | | MOTOR VEHICLES | 2 |
| | | GSA VEHICLES | GSA | 2 |
| | | LEASED EQUIPMENT | LEAS | 55 |
| | | | | 71 |
| | **Grand Total** | | | 657 |

5908

# COMPREHENSIVE EXIT AND TRANSITION PLAN
# COMMENT RESPONSES

## Global Comment - Responses
## DOE Environmental Management Comment - Responses
## DOE Legacy Management Comment - Responses

5908

Comment No.Global-1
CE/T Plan Page/Section: NA

Comment: Incomplete definition of physical completion – The CE/TP incompletely defines physical completion. For example, the CE/TP describes that various demobilization activities will not be completed before the initial declaration of physical completion. However, contract clause C.1.2, "End State", prescribes that "...in order to achieve site closure, the following activities including all contract and statement of work requirements [emphasis added] shall be completed..." Accordingly, demobilization activities must be completed prior to the initial declaration. The CE/TP should define physical completion consistent with completion of the statement of work requirements of the contract.

Response: Fluor Fernald's interpretation of the definition of physical completion is described in Section B; page B-1.

Modification #38 to the Prime Contract was the result of a review by DOE-HQ of the terms and conditions of the Fernald Closure Contract. DOE-HQ concluded that changes were needed and, in particular, the fee provisions of the contract did not properly incentivize Fluor Fernald to achieve the Department's goal of closure by the end of CY 2006. While Fluor Fernald did not share this conclusion it did agree to enter into negotiations to modify the contract. The fee provisions were restructured to place much more emphasis (i.e. incentive) on meeting or beating the December 31, 2006 target schedule for closure. In exchange for agreeing to significantly more aggressive and difficult to achieve schedule and cost targets, Fluor Fernald obtained a more clearly defined set of criteria for declaring site closure. More specifically, Fluor Fernald obtained agreement that closure would be tied to physical completion of specified activities with all other administrative-type activities to be completed as part of a contract closeout phase.

Demobilization of equipment used in remediation will be accomplished as part of Physical Completion in almost all cases. Equipment needed for Legacy Management would be transitioned to Office of Legacy Management. A Task Transfer Tool for each functional area where equipment is to be transferred will include timeframes for identification of equipment and for transfer of the equipment. It is Fluor Fernald's intent to have all contaminated equipment offsite prior to the Declaration of Physical Completion. Offsite decontamination and final disposition of some of this contaminated equipment will occur after the Declaration of Physical Completion. The costs for this work will be reimbursable. Fluor Fernald and DOE agree that these trailing costs for decontamination and management of this contaminated equipment that are incurred within 90 days after DOE's acceptance of Fluor Fernald's Declaration of Physical Completion will be included within the total allowable costs used to calculate Fluor Fernald's incentive fee. Costs of managing contaminated equipment incurred more than 90 days after the date DOE accepts the Declaration of Physical Completion will not be reimbursable. Fluor Fernald has provided DOE its property management plan and will continue to provide monthly updates throughout the project.

The Task Transfer Tools (TTT) will be used to provide details on the transition of activities from Fluor Fernald to DOE for legacy management. These TTTs will be attached to the CE/T Plan as an appendix. Any additions or deletions of activities or any schedule change of more than 60 days will require approval of the DOE Contracting Officer and the Fluor Fernald Prime Contract Manager or their designees. The TTTs will contain transition dates prior to and after the date of Declaration of Physical Completion to identify Fluor Fernald transition activities.

On March 22, 2006, Fluor Fernald provided DOE an updated plan for the disposition of all equipment/property associated with the closure project and will provide DOE monthly updates on the status of the implementation of the plan. Fluor Fernald will regularly review the property list to identify and disposition property no longer needed for the project prior to Declaration of Physical Completion. The Plan shows that Fluor Fernald will disposition most of the property by the time of the Declaration of Physical Completion. Except for property needed for correction of any deficiencies noted by DOE following the Declaration of Physical Completion, property otherwise needed for use during contract closeout (To be identified by general types and quantities by May 1, 2005 and in detail by June 1, 2005), and property that will be transitioned to DOE for legacy management (To be identified by June 1, 2005), disposition of all other property will occur within 90 days following DOE's acceptance of the Declaration of Physical Completion. It is expected that on-site property disposition will occur rapidly with the bulk of the property gone after the first 30 days. Property may still be staged at on-site location(s) (OSDF and Silos warehouse have currently been identified.) and other off-site locations during the 90-day period. The cost of disposition of uncontaminated equipment after the Declaration of Physical Completion will be reimbursable as part of "Contract Closeout" and will not be considered part of project costs for fee determination.

Fluor Fernald has provided DOE its Plan for archiving and disposition of records and will provide DOE regular updates on the status of the implementation of the Plan. The Plan demonstrates Fluor Fernald's good faith effort to archive and disposition records. Fluor Fernald will disposition the bulk of the records prior to the Declaration of Physical Completion. Records needed for correction of deficiencies identified by DOE or contract closeout activities after the Declaration of Physical Completion will be transitioned according to the records Task Transfer Tool. Fluor Fernald expects to disposition all other records within 180 days after DOE acceptance of the Declaration of Physical Completion. Fluor Fernald's costs of records management after the Declaration of Physical Completion will be reimbursable as part of Contract Closeout and will not be considered project costs for fee determination purposes.

Fluor Fernald will work in good faith to make sure that waste shipped off-site is treated and disposed prior to the Declaration of Physical Completion. Fluor Fernald has provided DOE copies of its schedules for disposition of wastes from the site. These schedules demonstrate Fluor Fernald's intent to disposition waste as quickly as possible. However, the disposition of this waste will not be considered necessary for the Declaration of Physical Completion.

Certificates of Disposal and Destruction are not a ROD requirement. The requirement is that any waste identified for off-site disposal must be shipped off-site to a licensed or permitted facility for disposal. Neither the AEC nor RCRA require these certificates. TSCA does require that the generator receive a certificate of disposal or destruction. For TSCA material, certificates of destruction will be obtained. For wastes awaiting treatment or disposal after the Declaration of Physical Completion, Fluor Fernald will complete the process of treatment, disposal, and obtaining certificates of destruction for TSCA waste. The cost for completing this work will be reimbursable under the contract and considered part of the project cost for fee determination. It is expected that this work would be completed within 12 months after the Declaration.

Additionally, there may be a small number of containers that will have no treatment options. Currently, there is one potential container in this category. Fluor Fernald will work with the DOE to develop a plan for the storage any such "orphan" waste at another DOE site. The storage would be needed until treatment options become available. Delay in availability of these treatment options would not adversely impact Fluor Fernald's ability to make the Declaration of Physical Completion. Any waste in this category would become DOE's responsibility at the time of Declaration of Physical Completion.

Fluor Fernald's plan for disposition of all wastes is part of its baseline schedule and is tracked regularly by DOE.

Fluor Fernald will share with DOE its plan for minimizing the newly generated waste that will be present at declaration of physical completion. Waste Management of newly generated waste is one of the functions that will be transferred to Legacy Management. A TTT for waste management will identify the process of transition including opportunities to discuss the status of newly generated waste quantities. Fluor Fernald has provided DOE a list of expected types and quantities of waste that would be present at the time of Declaration of Physical Completion. DOE has agreed to manage this waste after the Declaration of Physical Completion. Fluor Fernald and DOE have agreed that this cost will be part of project cost for fee determination. The Task Transfer Tool will identify DOE and Fluor Fernald will manage this remaining waste.

Action: Fluor Fernald will include in the TTTs an identification of equipment/property for each functional area that will be transferred to the legacy management phase. Copies of the current TTTs providing transition plan details will be made part of the CE/T Plan and are attached to these comments Fluor Fernald will continue to provide DOE updates and implementation status of the property management and record management plans. The CE/T Plan will be revised to include language that Fluor Fernald will provide monthly updates and implementation status of the property and records plans to demonstrate a good faith effort to disposition equipment and records to the extent practicable prior to the Declaration of Physical Completion.

The TTT was originally contemplated in the CE/T Plan (CE/T Plan, Final, pg. A-2, lines 3 through 17) and will be part of the revision of the CET Plan reflecting the steering committee agreements. . Language will be added that clarifies that only the DOE Contracting Officer and the Fluor Fernald Prime Contract Manager or their designees jointly may add or delete requirements or modify changes in dates of more than 60 days to the TTTs. Section B.1, Matrix Tables B.1-5, B.1-6, B.1-10, B.1-11, B.1-12, B.1-13, and B.1-14, will be revised to include the following language in the "Activities Continuing During Contract Closeout Phase":

"Decontamination of equipment may continue off-site up to 90 days after DOE acceptance of Fluor Fernald's Declaration of Physical Completion. Costs of the management of this contaminated equipment will be reimbursable and will be included within the total project costs used for fee determination purposes. Any costs associated with disposition of this contaminated equipment incurred more than 90 days after DOE acceptance of Fluor Fernald's Declaration of Physical Completion will not be reimbursable. Disposition of uncontaminated equipment/property that is not required for contract closeout or is not transferred to DOE for legacy management is expected to occur within 90 days of the Declaration of Physical Completion. The costs of the management of this uncontaminated property will be reimbursable as Contract Closeout costs. Fluor Fernald costs for disposition of records after the Declaration of Physical Completion will be reimbursable as Contract Closeout costs and will not be considered for fee determination purposes. It is expected that Fluor Fernald will complete disposition of all records within 180 days following DOE acceptance of Fluor Fernald's Declaration of Physical Completion except for those required to correct any deficiencies identified by DOE, to be used by DOE for legacy management, or to perform Contract Closeout activities.

As part of the project tracking system, Fluor Fernald will provide monthly updates on the status of newly generated waste and legacy waste disposition. This regular monthly update will identify any wastes that may not have a disposition pathway and the status of other waste. The TTT for waste management will become a part of the CE/T Plan.

Comment No.Global-2
CE/T Plan Page/Section: NA

Comment: Premature references to DOE approval of the Legacy Management and Institutional Controls Plan (LMICP) – The LMICP is a key document for defining post closure requirements. The CE/TP indicates that DOE should approve the LMICP by October 31, 2004. However, significant activities that will define requirements for the LMICP will not occur until well after October 31, 2004. For example, settlement of the Natural Resources Damages Assessment action will occur after October 31, 2004. In addition, potential ROD changes may be needed to reflect future determinations about infrastructure such as the Transfer Tank Activity, concrete slabs at the Silos Treatment Facility; and various warehouses.

Response: Currently, the LMICP is expected to be updated by April 15, 2005 after resolving regulatory comments. This submittal would satisfy contractual requirements for DOE acceptance of the LMICP with the understanding that it will need to be revised to accommodate any changes that occur before the end of the calendar year. The final update is scheduled for January 31, 2006. Fluor Fernald and DOE will work with the regulatory agencies to address any remaining issues in this submittal to minimize the need for any comments. Based on a Declaration of Physical Completion date of March 31, 2006, DOE will need to be prepared to take the lead in resolving any comments on the January 31, 2006 submittal. Fluor Fernald would continue to assist prior to the Declaration and after as negotiated during Contract Closeout.

Fluor Fernald recognizes that DOE may not be in a position to identify all facilities and property by April 15, 2005 that will be required by legacy management. Fluor Fernald will work in good faith to facilitate smooth transfer of such items no matter when identified by the Department. Any delay in resolution of NRDA and/or LMICP issues will not delay Fluor Fernald's ability to declare physical completion, and Fluor Fernald's incentive fee will not be affected by any additional costs incurred as a result of such delays. Fluor Fernald will move forward with current plans relating to stewardship infrastructure installation as well as facility and property disposition based on the current version of the LMICP. Fluor Fernald and DOE agree that the Silo's warehouse (without any remodeling), two double-wide trailers, one conference room trailer, and one restroom trailer will be left on-site for DOE use. Basic utilities, water and power, will be provided. The process for modifying the OU3 ROD must be started by May 1, 2005 to allow enough time to complete the modification without impacting the schedule for the Declaration of Physical Completion.

Action: CE/T Plan, Section A, pg. A-3, lines 18 through 21 will be revised to read: "Fluor Fernald recognizes that DOE may not be in a position to identify all facilities and property by April 15, 2005 that will be required by legacy management. Fluor Fernald will work in good faith to facilitate smooth transfer of such items no matter when identified by the Department. The TTTs will identify the property and schedule for transition to legacy management. By May 1, 2005, Fluor Fernald will submit to DOE a draft Explanation of Significant Difference (ESD) to the OU3 ROD to allow identified structures to remain. It is expected that DOE will submit this ESD to the regulatory agencies by July 2005. Fluor Fernald and DOE will work together to determine how changes to these plans, if any, that cause delays or cost increases will be contractually implemented."

Section A.6, "Institutional Controls", Responsibility Assignment Matrix - first activity, will be revised to eliminate the specific date. The "Comments" section for this first activity, first paragraph will be revised to read 'The LMICP is expected to be updated by April 15, 2005 after resolving regulatory comments. This submittal would satisfy contractual requirements for DOE acceptance of the LMICP with the understanding that Fluor Fernald will need to revise the LMICP by January 31, 2005 to accommodate new information. Based on the currently proposed Declaration of Physical Completion date of March 31, 2005 and not Fluor Fernald will need to take the lead in responding to regulatory comments to the January 31, 2006 submittal.

Fluor Fernald will provide assistance prior to the Declaration and after as agreed to in the Contract Closeout Plan. ."

Comment No.Global-3
CE/T Plan Page/Section: NA

Comment: Lack of a summary of activities/deliverables that will be completed prior to submission of the initial declaration of site closure and lack of a summary of activities/deliverables that will completed after submission of the initial declaration – To enable effective analysis and cross-checking of activities, the CE/TP should include a summary of Fluor Fernald activities/deliverables that will be completed prior to the initial declaration as well as a summary of Fluor Fernald activities/deliverables that will not be completed after the initial declaration. The summary should cite specific completion dates for activities/deliverables that will be completed after the initial declaration. To facilitate the readiness assessment and general DOE analysis, please consider using the following format to summarize activities/deliverables that will be completed prior to submission of the initial declaration of site closure and activities/deliverables that will be completed after submission of the initial declaration: (Note: example format not included in comment)

Response: The intent of the CE/T Plan is to establish the criteria to evaluate DOE's readiness to transition to long-term stewardship relative to those activities involving Fluor Fernald. . Fluor Fernald recognizes DOE's need to track the progress of completing the work necessary to allow a "smooth transition". The TTTs, which will be an appendix to the CE/T Plan addresses transition and provide details including schedules for transition at Declaration of Physical Completion. The TTTs include legacy management transition activities involving Fluor Fernald to be completed prior to and after the Declaration of Physical Completion. Closure activities and schedules are already being tracked through existing systems. Fluor Fernald has provided and will continue to provide planning schedules for completion of key items such as draft Final and Interim Remedial Action Reports, records and property disposition. Fluor Fernald will continue to provide input to DOE's Site Transition Plan to support DOE transition activities.

Section A shows the conditions that are to be achieved in order to transfer operations into the legacy management phase. The necessary transition activities will be included in the TTTs that will be part of the CE/T Plan revision as an appendix. The CE/T Plan contains the requirements from Fluor Fernald's perspective and does not include additional requirements that DOE must address internally for a readiness review for transfer to legacy management. Fluor Fernald will re-write its responses to DOE comments to reflect that the CE/T Plan is written to provide DOE assistance in their readiness analysis.

Sections B and C of the CE/T Plan are to provide clarity in supporting both DOE and Fluor Fernald's interests in achieving Physical Completion. These Sections are intended to provide a clear picture of what constitutes physical completion, and what will be submitted to the DOE to document preliminary and final declaration of Physical Completion. These sections also provide a plan for transition of activities and functions to the DOE.

The CE/T Plan will be revised to ensure it is clear that Section A of the CE/T Plan is to identify criteria, for which Fluor Fernald is responsible, that must be achieved for transfer to the legacy management phase. DOE may add additional criteria that relate to the department's internal requirements for transfer from EM to OLM.

Action: Section A of the CE/T Plan, pg. Intro-3, line 14 and 15 will be revised to read: "The intent of Section A of this plan is to provide the criteria based on regulatory and contract requirements by which a readiness analysis can be conducted and represent criteria relative to Fluor Fernald that must be achieved for transfer of the FCP to the legacy management phase. DOE will add any

additional internal criteria in the DOE Site Transition Plan. Specific transition activities for which Fluor Fernald is responsible will be detailed in TTTS discussed in Section A of the CE/T Plan."

Comment No.Global-4
CE/T Plan Page/Section: NA

Comment: Delay in preparation of the site wide interim residual risk assessment - The CE/TP delays completion of the site wide risk assessment until after completion of the OU 5 Record Of Decision (ROD) activities. However, in order for DOE to verify FFI's completion of contractual/statement of work requirements, a site wide interim residual risk assessment shall be prepared prior to site completion to demonstrate cleanup levels specified in the ROD have been attained and verify residual risk after completion of the remedy ensures protectiveness for OU's 1-4; as well as illustrate substantial and continuous progress been achieved for OU-5.

Response: DOE has asked that Fluor Fernald complete an interim risk assessment that will assess risk at the point of Physical Completion. Fluor Fernald will complete this risk assessment after declaration of Physical Completion, with the understanding that this risk assessment is not a prerequisite for the Declaration of Physical Completion. Some of the information that is needed to complete the risk assessment will not be available until Declaration of Physical Completion. It is anticipated that this assessment will be completed during contract closeout and within 90 days of the Declaration of Physical Completion. Fluor Fernald and DOE will work together to determine how this work will be contractually implemented.

The Final and Interim remedial Action Reports will verify that the RODs have been implemented for OU1, OU2, OU3, OU4, and OU5 (except for groundwater, facilities associated with groundwater treatment, and contaminated soil associated with groundwater facilities). The requirements of these RODs were based on meeting acceptable risk levels identified in both the RI/FS documents and the CRARE.

Fluor Fernald has agreed to provide an interim residual risk assessment subsequent to physical completion of the FCP and the transfer to the legacy management phase. This interim residual risk assessment will provide a basis for completing the residual risk assessment required by the Amended Consent Agreement after all remedial actions (including groundwater remediation) have been completed (September 1991 Amended Consent Agreement, Section XI(D)).

Action: The CE/T Plan will be revised to indicate an interim risk assessment will be conducted during the contract closeout phase, subsequent to the Declaration of Physical Completion.

Section A.2, Site Conditions, pg. A.2-2, lines 2 through 13 will be revised to read as follows: "An estimate of the remaining contaminants and associated risks are described in the Operable Unit 5 Comprehensive Response and Risk Evaluations (CRARE) document (Feasibility Study Report for Operable Unit 5, Appendix H, June 1995). The CRARE document is already complete and defines residual risks to be encountered during the legacy management phase. Within 90 days of the declaration of physical completion Fluor Fernald will complete an interim residual risk analysis for the work completed. This document will serve as a basis for the final residual risk analysis to be performed by DOE after all remedial actions are completed."

Comment No.Global-5
CE/T Plan Page/Section: NA

Comment: Inadequate cross-walks of information in Sections A, B, and C – For example, the tables in Section B should be cross-walked to each of the appropriate readiness analysis categories in Section A. In addition, Section A of the CE/TP addresses each of the nine readiness analysis categories listed in Clause C.3.7, "Long-Term Stewardship (LTS)". Recently revised draft guidance issued by DOE Headquarters now shows ten categories. The tenth or new category is "Business Functions including Contractor Pensions and Benefits". Based on our preliminary analysis, the Business Functions category appears to align closely to the Contract Close-out Plan described in Clause F.7, "Contract Closeout". As the guidance is finalized, DOE may provide additional guidance regarding the need to address the ten categories in the future CE/TP submissions such as the "...update 1 year prior to Site Closure" submission.

Response: The CE/T Plan was written in three distinct stand-alone sections. Section A describes the readiness criteria for the required dimensions for transfer of the site into the legacy management phase. The criteria defined in Section A will be a partial basis for a DOE readiness assessment for the FCP to be transferred into the legacy management phase. The criteria in Section A will represent a comprehensive listing of the criteria that must be supported by Fluor Fernald. The response to Global Comment No. 6 below also addresses how the Task Transfer Tools will be used to comprehensively define Fluor Fernald's responsibility in this area. It is recognized there will be additional criteria to be identified by DOE that reflect the department's internal transfer obligations that will not impact Fluor Fernald's transition activities. Section B provides a comprehensive review of the contract statement of work to define those activities that must be completed before Fluor Fernald can submit its Declaration of Physical Completion. Section B also identifies those activities within the statement of work that will continue during legacy management or contract closeout. Section C provides the strategy for conducting preliminary declarations of work completion. While there is a relationship between each of these sections, the purpose of the CE/T Plan is that each is sufficiently defined on a stand-alone basis such that a crosswalk is unnecessary.

C.3.7 of the statement of work requires the transfer readiness analysis to be comprised of nine specific dimensions. The business function criterion is not one of the nine contractually required dimensions. However, Fluor Fernald and DOE have agreed that the contractually required Contract Closeout Plan will address this tenth dimension. Fluor Fernald will expedite the preparation of this plan and has agreed with DOE that a beneficial target date for submission of this plan would be September 30, 2005. Further, Fluor Fernald and DOE have agreed that discussions on the plan should begin immediately.

Action: Section A of the CE/T Plan will be revised to include this business function criterion. A "Responsibility Assignment Matrix" will be developed to identify the contract closeout plan and target dates for submission and acceptance.

Comment No.Global-6
CE/T Plan Page/Section: NA

Comment: Lack of projected dates – The CE/TP fails to provide projected dates (month/year) for most actions, milestones and deliverables. For example, tables in Section B outline information such as definition of completeness; documents used to demonstrate completion; and activities transferred to Legacy Management. However, none of the tables provide projected dates (month/year) for any of the completion actions, milestones and deliverables. Also, Section A.2, "Site Conditions", fails to provide projected dates (month/year) for submission of Final Remedial Action Reports for Operable Units 1, 2, 3, and 4 and the Interim Remedial Action Report for OU 5. To serve as an effective planning and transition document, the CE/TP must provide projected dates (month/year) for actions, milestones and deliverables identified and listed in each section of the document.

Response: The intent of the CE/T Plan is to provide an interpretation of the end state, define what constitutes a "smooth transition", and agree with DOE on the criteria relevant to Fluor Fernald for transfer readiness (as opposed to transition). The Task Transfer Tool, which will be an appendix to the next revision of the CE/T Plan, addresses transition activities and provides a listing of Fluor Fernald responsibilities and related DOE activities for specific tasks and target dates for those activities to be completed. Fluor Fernald will provide a current forecast of projected submittal dates for the various Remedial Action Reports. While these forecast dates are not contractually binding, they will be submitted in good faith to allow both parties to better plan for review cycles.

Action: Section A of the CE/T Plan, pg. Intro-3, line 14 and 15 will be revised to read: "The intent of Section A of this plan is to provide the criteria based on regulatory and contract requirements by which a readiness analysis can be conducted and represent criteria that must be achieved for transfer of the FCP to the legacy management phase. DOE will add any additional internal criteria in the DOE Site Transition Plan. Specific transition activities for which Fluor Fernald or DOE is responsible will be detailed in a Task Transfer Tool discussed in Section A of the CE/T Plan."

# REVISED RESPONSES TO COMMENTS – WITH ACTIONS
# COMPREHENSIVE EXIT & TRANSITION PLAN – EM ISSUES
# April 29, 2005

**Comment No.EM-1; NKA2**
**CE/T Plan Page/Section: NA**

Comment: GAP Comment: Fluor needs to provide information to support a validatable baseline (EM Cost, Scope, and Schedule) to do "business" between 3/31/06 to 9/30/07, i.e., continuous operation of the waste water treatment, routine operations, , LMICP, NRDA Settlement Costs, Fernald Worker Medical Monitoring Program costs, and contract closeout costs.

Response: *On January 18, 2005,* Fluor Fernald transmitted to DOE a budget estimate for legacy management activities and contract closeout. Fluor Fernald will work with DOE to refine these cost estimates by March 31, 2005.

Action: Table A.4-2 will be revised to update the numbers presented with the latest information. Fluor Fernald transmitted on January 12, 2005 to DOE a budget estimate for legacy management activities and contract closeout. Fluor Fernald will work with DOE to refine these cost estimates by March 31, 2005.

Agreed:

**Comment No.EM-2; JR3**
**CE/T Plan Page/Section: NA**

Comment: What process does Fluor anticipate employing to close all OEPA agreements possible by declaration of physical closure if OEPA does not accept the USEPA Remedial Action Report documentation?

- Fluor will be responsible for drafts of any document required to be submitted containing information prior to date of physical completion declaration (i.e., IEMP, NRD Monitoring Plan, Administrative Record, etc.)
- DOE in cooperation with Fluor will need to obtain easement for new outfall line.
- All maps will require updating to be consistent. Maps are subject to change as a result of discussion with Regulators as to what may or may not remain at the time of physical closure.
- All components of the IC Plan that are the responsibility of Fluor will be in place at the time of declaration of physical closure (i.e. perimeter signs)
- Fluor needs to update the LM cost estimate
- All activities completed (soil certification etc.) will be reported in the appropriate Remedial Action Report, either final or interim report.
- Eventual DOE approval of the LMIC does not constitute completion of preparations of Stewardship activities.
- Leaving the RR trestle, TTA slab and other "structures" is subject to EPA approval via a ROD modification.
- DOE acceptance of a preliminary declaration may not be final depending on the type of activity or project that is being reviewed for preliminary acceptance. If the activity or project is dependent or related to another active project or activity, then the final acceptance of the preliminary declaration would be subject to re-review.

Response: More discussion will be required to understand the relationship between the Final and Interim Remedial Action Reports and other OEPA related agreements. A discussion of legal agreements, their status and termination provisions is identified in Section A.1. It is Fluor Fernald's intent to work with DOE and the regulators to close as many agreements as possible and to obtain OEPA's approval of the Final or Interim Remedial Action Reports, however, closeout of these other agreements is not a condition for Fluor Fernald' successful declaration of physical completion. Fluor Fernald has promoted and will support early submission of these reports with a consisten quality and format of previously approved Remedial Action Reports to determine what is necessary to obtain approval from both regulators. Fluor Fernald has provided a list of Enforcement Agreements with potential "sunsetting" timeframes to DOE (See Summary of Meeting of March 7, 2005).

Documents – Fluor Fernald and DOE plan to aggressively pursue conditional approval and approval of all Final and Interim Remedial Action Reports. Fluor Fernald Recognizes our obligation to submit project related reports (e.g. soil certification reports) in a condition acceptable (based on consistency with established formats and types and levels of detail) to DOE but the ultimate approval of these reports is not a condition of a successful declaration of physical completion. It is in both our interests to clearly and quickly establish the standards for approval of all of the documents. This understanding has already been established for Soil Certification Reports for example. Also, the regulatory agencies

have agreed to review Final and Preliminary Remedial Action Reports and give conditional approvals on the reports submitted. However, there will be reports that are part of the Final and Interim Remedial Action reports that will not have been approved by the agencies. To prevent or minimize the possibility of having the complete un-reviewed OU5 draft interim report to DOE and the declaration on the same day, the target for the completion of remaining "project" reports (e.g. soil certification reports, OSDF Cap QA/QC reports, Natural Resources Completion Reports) will be provided in the CE/T Plan. These target dates will be used to help both DOE and Fluor Fernald to understand the plan for completing all of the work that will be documented in the Final/Interim Remedial Action Reports. The target dates are for planning purposes only. "Project" reports that are needed for Final/Interim Remedial Action Reports will be submitted to DOE prior to the Declaration of Physical Completion.

It is Fluor Fernald's explicit understanding that Final/Interim Remedial Action Reports submitted within the last three months prior to the Declaration of Physical Completion will be considered to be "accepted" by DOE so long as they are consistent with the standard form, format, and content of previously approved documents. . If DOE identifies situations where these submissions do not meet this standard, DOE will identify the deficiency as a "punch list" item to be corrected by Fluor Fernald after the Declaration of Physical Completion. Fluor will add language to the CE/T Plan that captures the understanding that the documents must follow the same standards/content of documents previously submitted and approved.

Fluor Fernald and DOE agree that Fluor Fernald will provide USEPA and copies to OEPA information generated during the course of Physical Completion that is required for their Preliminary Construction Completion Reports. However, neither the completion of these reports nor the production of any additional information is a prerequisite to the Declaration of Physical Completion. This represents a good faith effort to support DOE and EPA in preparing CERCLA related documents used in the process for delisting.

Fluor Fernald acknowledges it's responsibility for the preparation of draft documents prior to physical completion if baseline schedules or regulatory requirements call for the drafts prior to Fluor Fernald's declaration of physical completion – otherwise collected data will be transferred to DOE as established in the Task Transfer Tools. Fluor Fernald will work with DOE to identify a projected list of the draft documents whose review/comment cycle will conclude after the Declaration of Physical Completion. During the period prior to Physical Completion, Fluor Fernald will work in good faith to attempt to resolve comments on these draft documents. Fluor Fernald is also willing to work with DOE to establish a method to support comment resolution during the period after the Declaration of Physical Completion.

Easements – Fluor Fernald has completed a comprehensive review of all existing offsite real estate agreements and has provided the review to DOE. These agreements principally relate to granting access or easements to property for remedial activities including sampling and monitoring. The review considered all DOE requirements for offsite access/easements after Fluor Fernald's Declaration of Physical Completion. The review identifies any agreement expiration dates including those scheduled to expire within two years of March 31, 2006 (i.e. the anticipated declaration of physical completion date). In those instances where a new agreement is required, the review also identifies the dates by which the new agreement is needed. Fluor Fernald will provide "good faith" support to assist DOE to renew these agreements. The agreements are not a requirement for Declaration of Physical Completion.

Maps – Fluor Fernald will finalize the maps when final decisions on infrastructure have been made. This will include a consistency review.

Institutional Controls - Fluor Fernald acknowledges that it is responsible for implementation of institutional controls (IC's) as an element of physical completion. DOE and Fluor Fernald agree that an IC baseline must be identified in sufficient time to permit Fluor Fernald the reasonable time to complete the agreed work. In order to establish a reasonable baseline while retaining reasonable flexibility, Fluor Fernald proposes the following: (1) the IC baseline should be the IC's specified in the version of the LMICP dated April 15, 2004. Fluor Fernald must complete implementation of the IC's specified in this version of the LMICP in order to meet the requirements for Declaration of Physical Completion; (2) In addition, Fluor Fernald will exercise good faith efforts to implement any additional IC's that may be contained in any

subsequent versions of the LMICP. However, completion of these additional IC's will not be a prerequisite for the Declaration of Physical Completion; (3) Fluor Fernald also agrees to identify to DOE any new IC's added in subsequent revisions to the LMICP that will not or may not be completed prior to Declaration of Physical Completion. One of the ICs identified in the April 15, 2005 LMICP is a Multi-use Educational Facility. DOE and Fluor Fernald have agreed that the Silo's warehouse and four trailers will be left behind for use as a Multi-use educational facility. Basic utilities, water and electricity, will be provided. Any other improvements such as remodeling the warehouse, trails, curriculum, permanent sanitary waste treatment, etc. will not be completed as part of the Declaration of Physical Completion.

Cost Estimate – Acknowledged. Fluor Fernald transmitted on January 12, 2005 to DOE a budget estimate for legacy management activities and contract closeout. Fluor Fernald will work with DOE to refine the legacy management cost estimates as needed. The cost estimate fro contract closeout will be refined during resolution of the Contract Closeout Plan.

Remedial Action Report description of completed activities – Fluor Fernald will prepare the reports in accordance with the Fact Sheet concerning the minor ROD changes and approved by USEPA for clarifying the work that will be completed under each Operable Unit. DOE needs to publish this Fact Sheet for public notice. This Fact Sheet defines the scope of the individual Remedial Action Reports .

LMICP approval – See response to the Global–2 comment.

Structures – Acknowledged. See response to the Global-2 comment.
Preliminary declaration – Acknowledged. Fluor Fernald will work with DOE to agree upon the limited conditions that may justify reopening the acceptance of a preliminary declaration.

Action:

1. Fluor will add language to the CE/T Plan that captures the understanding that "the Final and Interim Remedial Action Reports and project related documents will follow the same form, format, and content standard of documents previously submitted and approved." The first activity in Section A.2, RAM, will include this language for the Final and Interim Reports. Matrix Tables B.1-2, B.1-4, B.1-6, B.1-11, and B.1-12 will be revised to include this language in the "Documents used to demonstrate completion" section of the matrix tables.
2. Fluor Fernald will work with DOE and USEPA to provide the information needed to complete the Preliminary Construction Completion Reports (PCOR) from the information available in the Fluor Fernald completion documentation.
3. The review of easements will be summarized in tabular format and provided to DOE under separate cover.
4. Fluor Fernald will finalize the maps prior to the Declaration of Physical Completion when final decisions on infrastructure have been made and submitted to the regulatory agencies through the ESD process. There will be a consistency review.
5. Target dates for the completion of remaining "project" reports (e.g. soil certification reports, OSDF Cap QA/QC reports, Natural Resources Completion Reports) will be provided in the CE/T Plan. Matrix Tables B.1-2, B.1-4, B.1-6, B.1-11, and B.1-12 will be revised to include these target dates. In addition, Fluor Fernald will work with DOE to identify the complete set of documents that will be submitted prior to physical completion but likely will not be through the review/comment cycle, and will provide support to resolve comments prior to Physical Completion.

Agreed:

**Comment No.EM-3; NKA4**
**CE/T Plan Page/Section: pg. Intro-1**

Comment: Strongly suggest that the document be revised to reflect Fluor's responsibility: delete all references to speaking on Behalf of DOE

Response: Intent of CE/TP – Provide a joint, clear, supportive plan for DOE and Fluor Fernald's successful closure and transition of the site to legacy management.

Section A of the CE/TP provides Fluor Fernald's interpretation of the readiness analysis needed for DOE's site transfer to legacy management (referred to as "Long Term Stewardship" in Contract). Section A shows the conditions (relative to Fluor Fernald) that are to be achieved in order to transfer operations into the legacy management phase. Necessary transition activities would be included in the Task Transfer Tool (TTT). The CE/TP contains the requirements from Fluor Fernald's perspective and does not include additional requirements that DOE internally must address for a readiness review for transfer to legacy management.

Sections B and C of the CE/TP are to provide clarity in supporting both DOE and Fluor Fernald's interests in achieving Physical Completion. These Sections are intended to provide a clear picture of what constitutes physical completion, and what will be submitted to the DOE to document preliminary and final Declaration of Physical Completion. These sections also provide a plan for transition of activities and functions to the DOE. Sections B&C are intended to provide a more detailed level of understand and further refinement of the scope, or "goal line," for the end state to avoid any unnecessary confusion that might otherwise occur at the end of the project

Action: The first paragraph of Section A will include the following text: "The criteria identified in the following Sections relate to Fluor Fernald's specific obligations. Fluor Fernald acknowledges that additional criteria may be added to the future readiness analysis that addresses those criteria necessary to be met for the departments internal transfer from EM to OLM. These internal department criteria are beyond the scope of Fluor Fernald's obligation."

Agreed:

**Comment No.EM-4; DAW5**
**CE/T Plan Page/Section: pg. Intro-1; line 2**

Comment: This plan is Fluor's representation; not DOE's.

Response: See response to EM-3

Action: See EM-3

Agreed:

**Comment No.EM-5; JT6**
**CE/T Plan Page/Section: pg. Intro-1; line 37**

Comment: The document needs to identify the June 2006 as the date of the configuration controlled closure baseline with a goal/projected early completion of March 31, 2006.

Response: Fluor Fernald agrees that DOE should use their date of configuration control. It is Fluor Fernald's plan to declare physical completion by March 31, 2006.

Action: Line 37 will be revised to read: "The closure contract work scope is scheduled to be completed by June 2006 according to DOE's configuration controlled closure baseline. Fluor Fernald has established an accelerated baseline plan for early completion by March 31, 2006.

Agreed:

**Comment No.EM-6; DAW7**
**CE/T Plan Page/Section: pg. Intro-2; Plan Origin**

Comment: The CE/T is being portrayed as DOE's LM Readiness Assessment plan and contract close-out plan which it is not the DOE plan. The CE/T should be Fluor's representation of readiness. DOE may develop a separate readiness assessment plan for use in determining Site Closure.

Response: See EM-3.

Action: See EM-3

Agreed:

**Comment No.EM-7; DAW8**
**CE/T Plan Page/Section: pg. Intro-2; Plan Origin**

Comment: Interpretation of contract requirements between DOE & Fluor is done via correspondence between CO and Fluor. Acceptance of the CE/T plan does not provide interpretation of contract requirements. Would prefer to see a milestone that indicates when DOE and Fluor will reach agreement on end state terms and acceptance criteria. There are too many unknown/open items relating to end state to determine CE/T as the final acceptance criteria at this time.

Response: While it is true that correspondence between the DOE Contracting Officer(CO) and Fluor Fernald is one source of interpretation of contract requirements, there can be other relevant sources as well. The CE/T Plan is being submitted for CO review and approval in accordance with contractual requirements. To the extent that the various provisions of the plan involve explanations, interpretations, and conclusions related to the requirements of our contract, the plan as approved by the CO necessarily provides evidence that the parties have mutually agreed upon the interpretation to be given to the contract provisions involved. When the parties to a contract agree during the performance of the contract on the proper interpretation of its terms, this is very strong evidence of the proper interpretation to be given to these terms if there is a later question about them. Therefore, when the CO approves the CE/T Plan, there should be mutual recognition that this approved plan establishes the steps Fluor Fernald must take to meet the contract requirements to achieve transfer readiness and physical completion. The specific implementation steps laid out in the attached Task Transfer Tools (TTTs) will become part of the CE/T Plan as an appendix. . (Note: completed Task Transfer Tools are attached to these responses as an example of format, level of detail, etc. However, DOE and Fluor Fernald agree that any removal or addition of a requirement, or change in a schedule of more than 60 days to the Task Transfer Tool would require approval of both the CO and the Fluor Fernald Prime Contract representative or their designees. It is Fluor Fernald's expectation that, having been already used and completed in consultation with DOE, that no changes to TTT format will be required. The entire set of these tools will be added as an appendix to the CE/T Plan.) Fluor Fernald also agrees that there may be limited circumstances where the CE/T Plan may not be able to address all of the issues relating to the "end state terms and acceptance" because of "unknown/open items" at this time. Where such issues remain, Fluor Fernald and DOE will work together to identify the open items and establish goals for identifying the missing information and the planning steps related to that information. However, Fluor Fernald remains confident that this will be rare.

Action: None.

Agreed:

**Comment No.EM-8; DAW9**
**CE/T Plan Page/Section: pg. Intro-2; Plan Origin**

Comment: Unable to anticipate types of changes, so delete this categorization. The document may/most likely change upon issuance of the final LMICP and outcome of NRDA. Discussion of a basis for REA should be removed as REAs are handled in accordance with contract provisions separate from this document. See EM-2 Comment Response under structures.

Response: See response to Global No. 2

Action: The tables of infrastructure provided in support of the maps in Section A.2 will be incorporated into the text thus providing the complete list of physical structures to remain.

Agreed:

**Comment No.EM-9; JSB10**
**CE/T Plan Page/Section: pg. Intro-2; line 26**

Comment: OLM guidance has been revised to include 10 --- See previous response. Fluor Fernald should recognize that recent guidance requires DOE to assess completion to the 10 criteria. The required contract close out plan may fulfill the needs for criteria #10, however, until the closeout plan is developed it is unclear if all 10 areas are addressed. Fluor may choose to revise the CE/T to more clearly define contract close out plan in relation to the 10 criteria to better align DOE's assessment and Fluor's readiness analysis for completion.

Response: While Section C.3.7of the statement of work requires the transfer readiness analysis to be comprised of nine specific dimensions, Fluor Fernald will add reference to the tenth dimension with the understanding that it is addressed by the Contract Closeout Plan required by Section F.7 of the Closure Contract.

Action: A new section titled "Section A.10 – Business Function" will be added to Section A of the CE/T Plan. The RAM for this new section will identify that a Contract Closeout Plan will serve to meet the requirements of this new dimension with a target submission date of September 30, 2005. Fluor Fernald and DOE agree to begin work on the Contract Closeout Plan in May 2005.

Agreed:

**Comment No.EM-10; JSB11**
**CE/T Plan Page/Section: pg. Intro-2; line 36**

Comment: According to the Fluor Fernald baseline, when does Fluor Fernald expect to transfer operation of the CAWWT to DOE? The CE/T needs to be specific with planned transfer and schedule (month/year) of remaining infrastructure beyond completion.

Response: Fluor Fernald expects to transfer operation of the CAWWT to DOE no later than the date when DOE accepts Fluor Fernald's declaration of physical completion. Contract Clause F.6 states, "The Government will have fourteen (14) business days to decide whether the Contractor's declaration is reasonable." Under the current baseline plan, Fluor Fernald expects to be able to declare physical completion by 3/31/06, so DOE should be ready to accept transfer of CAWWT operations within 14 business days after that declaration or April 19, 2006. If DOE wishes to be ready to takeover CAWWT operations at an earlier date, Fluor Fernald will support the transfer when DOE is ready and able to do so. If unforeseen circumstances preclude DOE from being able to take over responsibility for operation of the CAWWT (and/or other continuing site activities that should transfer to DOE after acceptance of the declaration of physical completion), Fluor Fernald anticipates that the parties will negotiate in good faith to implement whatever contractual changes are necessary to cover whatever activities DOE wants Fluor Fernald to continue performing. It might be possible to handle the costs of such performance as a part of contract closeout or through some other arrangement. If DOE requests Fluor Fernald to provide such continuing support for operation of the CAWWT or other activities following the declaration of physical completion, this will not affect Fluor Fernald's ability to declare physical completion or the calculation of incentive fees based on the declaration of physical completion date. The Task Transfer Tool will be used to show the schedule for the various transition activities and will be modified, if necessary, to reflect any change in anticipated transfer.

Action: A Task Transfer Tool for this transfer will be prepared and attached as an addendum to the CE/T Plan.

Agreed:

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**Comment No.EM-11; DAW12**
**CE/T Plan Page/Section: pg. Intro-3; line 13**

Comment: Section C.3.7 does not adequately identify physical structures as part of the end point. The CE/T needs to be specific as related to an end point and required infrastructure. Long Term Response Action must also include performance criteria, monitoring requirements, etc.

Response: The maps will graphically define what the physical infrastructure remaining will be. Equipment and facility lists will be prepared based on the infrastructure remaining and included in the revision to the CE/T Plan. Plans, drawings, reports, etc. referenced in Section B will provide the details.

Fluor Fernald assumes the Long Term Response Action (LTRA) is related to the continuing operations post closure. Performance standards for the CAWWT are embodied by the OM&MP requirements, groundwater extraction/treatment decisions and process control sampling regimen all driven to complying with the only firm standard of 30 ug/L uranium at the parshall flume. These procedures and plans will be made available to DOE. The OSDF performance standard is established by a regulatory requirement for leakage and an action level set below the regulatory standard. These are stipulated in Section A.3 of the CE/T Plan. All of the documents identified in Section A.3 of the CE/T Plan define the various criteria and monitoring required to ensure CAWWT and OSDF operations are adequately controlled. The TTTs and the OM&MP attachment to the LMICP provide the schedules for providing the needed information.

Action: None.

Agreed:

**Comment No.EM-12; JT13**
**CE/T Plan Page/Section: pg. Intro-3; line 14**

Comment: The CE/T is not necessarily how DOE will conduct readiness analysis and maybe conducted utilizing a separate plan from the CE/T. The CE/T should be revised to reflect DOEs option for use of a separate readiness plan.

Response: See Response to Global No. 3.

Action: See comment Global No. 3

Agreed:

**Comment No.EM-13; JT14**
**CE/T Plan Page/Section: pg. Intro-4; line 9**

Comment: Fluor should evaluate early completion of the Contract Closeout Plan to aid in planning of future closeout activities and addressing STF requirements of DOE.

Response: While Clause F.7 requires submittal of the Contract Closeout Plan concurrent with the Declaration of Physical Completion, Fluor Fernald recognizes there may be value to both parties in an earlier submittal of a draft Contract Closeout Plan. Fluor Fernald will submit a draft Contract Closeout Plan six months prior to the projected Declaration of Physical Completion (i.e., September 30, 2005 based on the current projection). Further, Fluor Fernald and DOE agree that discussion on the details of Contract Closeout should begin immediately.

Action: Fluor Fernald to submit the draft Contract Closeout Plan to DOE by September 30, 2005. This information will be added to new Section A.10 to be included in Section A.

# REVISED RESPONSES TO COMMENTS – WITH ACTIONS
# COMPREHENSIVE EXIT & TRANSITION PLAN – EM ISSUES
# April 29, 2005

Agreed:

**Comment No.EM-14; JT15**
**CE/T Plan Page/Section: pg. Intro-4; line 12**

Comment: This is not the governing DOE document. STP and DOE Orders are the drivers for DOE readiness analysis in determining completion and transfer between EM and LM.

Response: See response to Global No. 3.

Action: See comment Global No. 3

Agreed:

**Comment No.EM-15; DAW16**
**CE/T Plan Page/Section: pg. Intro-4; line 13**

Comment: The CE/T cannot be the final completion criteria as key documents referenced in the CE/T are not complete, such as the LMICP and outcome of NRDA settlement. DOE and Fluor should establish a milestone date at which the final criteria is to be developed. It can be a phased approach (e.g. systems not currently developed cannot have criteria established until completed).

Response: See response to Global No. 3.

The LMICP will be revised in February 2005. Meetings will be held with the regulatory agencies to resolve comments. Minor changes will be incorporated in September 2005 to up date site conditions and agreements. It was agreed that the baseline needed to be defined today (based on 2002 NRRP, etc.) and any changes negotiated to that baseline will be considered a change in contract scope that must be evaluated and managed accordingly. Fluor Fernald & DOE conceptually agreed that if the change was reasonable to complete prior to declaration of physical completion, Fluor Fernald would agree as long as it's position relative to earned fee is not adversely impacted by the changed conditions. If not reasonable to complete with physical completion, an IDIA-type contract may be used to address new scope. The current infrastructure and institutional control needs specified under the contract are identified in the LMICP and reflected in the maps referenced in Section A.2 of the CE/T Plan.

Action: See comment Global No. 3. The tables of infrastructure provided in support of the maps in Section A.2 will be incorporated into the text for April 30, 2005 revision to the CE/T Plan thus providing the complete list of physical structures to remain.

Agreed:

**Comment No.EM-16; DAW17**
**CE/T Plan Page/Section: pg. Intro-4; line 22**

Comment: Physical completion is also defined in Section C.1.2, End State, of the contract and it is broader than the four bullets generally used. C.1.2 specifically identifies "all contract and SOW requirements shall be completed", as well as the 4 bullets Completion of C.1.2 must occur in order to make the first declaration.

Response: See response to Global No. 1

Action:

There are three deliverables to DOE separate from the CE/T Plan that will be used to demonstrate Fluor Fernald's good faith effort in managing the disposition of records, property, remediation field equipment and orphaned waste.

1. Fluor Fernald has provided DOE a copy of the Fluor Fernald records archiving and disposition plan. Fluor Fernald will regularly update and provide a status of the implementation of the plan to demonstrate "good faith' efforts to disposition records.
2. Fluor Fernald has provided DOE a copy of the disposition plan for property/equipment. Fluor Fernald will regularly provide updates and a status of plan implementation to demonstrate that a good faith effort is being made by Fluor Fernald to disposition equipment.
3. Fluor Fernald has provided DOE a schedule and plan for disposition of mixed waste and newly generated waste. Through the project management system, Fluor Fernald will continue to provide updates and the status of the implementation of the plan to DOE.

Agreed:

**Comment No.EM-17; DAW18**
**CE/T Plan Page/Section: pg. Intro-4; line 25**

Comment: This explanation excludes the DOE 60 calendar day accept or reject via punch list period per Section F.6. The 60 day cycle precedes the second and final declaration. The CE/T should describe the complete process that results in acceptance of the final declaration.

Response: Fluor Fernald acknowledges the process delineated in Clause F.6 and will add reference to the full process described in F.6. Fluor Fernald is attempting to define when the transfer of the FCP occurs in light of Fluor Fernald physical completion responsibilities.

Fluor Fernald wishes to clarify that all costs related to Fluor Fernald's continuing to operate/manage the FCP, or portions thereof, during this evaluation process are allowable costs under the contract and not be included in cost incentive fee calculations. The only unallowable costs during this period are those related to addressing and correcting punch list items generated by DOE and costs associated with the agreements on the CE/T Plan.

If unforeseen circumstances preclude DOE from being able to take over responsibility for operation of the CAWWT (and/or other continuing site activities that should transfer to DOE after acceptance of the declaration of physical completion), Fluor Fernald anticipates that the parties will negotiate in good faith to implement whatever contractual changes are necessary to cover whatever activities DOE wants Fluor Fernald to continue performing. The successful declaration of physical completion will not be impacted by this effort.

Action: Lines 23 through 29 will be revised to reflect the entire declaration process in Clause F.6 of the Closure Contract.

Agreed:

**Comment No.EM-18; DAW19**
**CE/T Plan Page/Section: pg. Intro-4; line 35**

Comment: There are LM activities that must occur concurrently with physical completion activities in order to achieve transition; therefore, this is an inaccurate representation. The CE/T needs to clarify LM activities that are pre and post completion if Fluor plans to reference legacy management.

Response: The CE/T Plan differentiates between transition and transfer. Transition are those activities between now and physical completion that occur leading up to when all conditions are met defining transfer.

The individual RAMS include the criteria that must be attained for "transfer". The Task Transfer Tool will identify the activities occurring during transition.

Action: None.

Agreed:

**Comment No.EM-19; DAW20**
**CE/T Plan Page/Section: pg. A-1; line 12**

Comment: It's not enough to establish criteria for readiness at the end. It's more appropriate to establish criteria, conduct a gap analysis, and ensure Fluor completes necessary activities prior to "physical completion". This aspect is not addressed anywhere in the CE/T, which loses the comprehensiveness. The CE/T may serve as Fluor's plan for assessing "actual readiness", however, as currently written the details and criteria do not provide sufficient information to support the end state and acceptance.

Response: See response to Global No. 3

Action: See comment Global No. 3

Agreed:

**Comment No.EM-20; DAW21**
**CE/T Plan Page/Section: pg. A-1; line 13**

Comment: CE/T Plan is not equivalent to DOE's readiness analysis.

Response: See response to Global No. 3.

Action: See comment Global No. 3

Agreed:

**Comment No.EM-21; DAW22**
**CE/T Plan Page/Section: pg. A-1; line 17**

Comment: Fluor cannot develop DOE's readiness analysis criteria.

Response: See response to Global No. 3.

Action: See comment Global No. 3

Agreed:

**Comment No.EM-22; DAW23**
**CE/T Plan Page/Section: pg. A-1; line 32**

Comment: DOE must develop end state criteria; Fluor cannot develop.

Response: See response to Global No. 3.

Action: See comment Global No. 3

Agreed:

**Comment No.EM-23; DAW24**
**CE/T Plan Page/Section: pg. A-1; line 35**

Comment: Updated version issued in September 2004. Fluor should review the current version of the STF criteria in relation to the changes from the January version. If the CE/T is cross-walked against all criteria in the STF as recommended in the matrix, adequate planning and successful transfer should result.

Response: Fluor Fernald does recognize that DOE must complete activities beyond those required of Fluor Fernald. Any evaluation of site readiness for transfer to LM (LTS) must include all of these activities. The intent of what is included in the CE/T Plan are those activities relative to Fluor Fernald. See also the response to EM-3.

The framework has been evaluated in light of Fluor Fernald's contractual obligations. The framework is written to address transfer from EM to OLM. Many of the criteria described in this framework are beyond the ability of Fluor Fernald to coordinate.

Action: See Action for comment EM-3

Agreed:

**Comment No.EM-24; DAW25**
**CE/T Plan Page/Section: pg. A-1; line 38**

Comment: This document should not be written to speak for DOE. It is intended to be the Project Execution Plan to integrate Fluor closure activities and transition planning.

Response: See response to Global No. 3.

Action: See comment Global No. 3

Agreed:

**Comment No.EM-25; DAW26**
**CE/T Plan Page/Section: pg. A-2; line 7**

Comment: The "tool" developed should integrate activities into the current baseline. What is the Task Transfer Tool; the CE/T needs to more clearly define the task transfer tool and it's content/use. How does the Task transfer tool relate to the closure baseline? Actions identified in the task transfer tool must be integrated with the site schedule (e.g. identify dates by which decision must be made or LM takeover of activities to prevent impact to the closure baseline, and dates at which closure baseline would necessitate completion, etc.) Without that integration, project risks and critical path cannot be adequately identified or managed.

Response: The Task Transfer Tool is at a much lower level than the baseline activities. The tool describes in detail what steps are to be accomplished to make the transfer. The Task Transfer Tool serves as an implementation plan. The level of detail contained in implementation plans is typically not included in the baseline.

Action: The Task Transfer Tools will be added to the CE/T Plan as an appendix in the next revision of the CE/T Plan. Line 13 on page A-2 will be revised to eliminate the referenced date.

Agreed:

**Comment No.EM-26; JT27**
**CE/T Plan Page/Section: pg. A-2; line 13**

Comment: How will this tool be reviewed by DOE? DOE does not intend to approve tools for Fluor's approach to transition.

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Response: TTTs have been developed through interaction with DOE for many of the functions and activities that are to be transferred to DOE. There has already been agreement that transition matrices will be used to provide information and schedules for transitioning site activities to DOE and will be attached to the CE/T.

The tool is intended to identify those specific activities necessary to transfer operations and responsibility of the FCP from Fluor Fernald to DOE. As such, the tool is intended for joint use by Fluor Fernald and DOE.

See also response to EM-7.

Action: None.

Agreed:

**Comment No.EM-27; DAW28**
**CE/T Plan Page/Section: pg. A-2; line 29**

Comment: Inappropriate discussion for this document. The CE/T should discuss Fluor's resource needs to support closure/transition (FTE/skill mix) and dates by which decisions are needed from DOE to prevent any impacts. DOE criteria to be established separately.

Response: See response to Global No. 3.

Action: See comment Global No. 3.

Agreed:

**Comment No.EM-28; JT30, DA10, JR**
**CE/T Plan Page/Section: pg. A-3; line 19**

Comment: Please specify the driver for LMICP approval by Oct 31, 2004. What is the current status? What is the impact, if any, if not approved by October 31, 2004? What is the defined infrastructure in the LMICP, the CE/T needs to refer to the specific infrastructure of the LMICP where referenced in this plan? There's a disconnect because CAWWT will not be in place by 10/31/04, therefore, infrastructure decisions cannot be completed by that time.

Response: See response to Global No. 2.

Action: See comments Global No. 2 and EM-8

Agreed:

**Comment No.EM-29; DAW31, JT**
**CE/T Plan Page/Section: pg. A.1-1; line 31**

Comment: It is an expectation of DOE that Fluor close all regulatory programs/permits, etc. that can be closed. This should be completed concurrently with physical completion. Only those programs needed to support the Long Term Response Actions should remain. The CE/T needs to provide a list of specific regulatory permits, programs that will remain and require transfer.

Response: See Table A.1-1 and Table A.7-1 of the CE/T Plan

Fluor Fernald will continue to work in good faith on implementing the various regulatory programs, agreements or, permits, etc. Fluor Fernald has provided to DOE a listing of Enforcement Agreements identifying when the agreements/documents could be "sunsetted". . As part of a "Smooth Transition to legacy management", Fluor Fernald will support sunsetting the identified agreements prior to physical completion. The specific elimination of any agreement is not a requirement for the Declaration of Physical Completion. A Task Transfer Tool will identify those programs to be transitioned to legacy management.

Action: None.

Agreed:

**Comment No.EM-30; JSB32**
**CE/T Plan Page/Section: pg. A.1-2; RAM**

Comment: The LMICP should cross-walk to each aspect of the RAM for Engineering Controls Readiness Analysis.

Response: The Task Transfer Tool associated with this criterion will provide a comprehensive, detailed description of the required engineered controls to be put in place and a forecast schedule for implementation. Any revisions to the requirements from the current draft of the LMICP are potentially subject to a request for equitable adjustment.

Action: A Task Transfer Toll will be prepared and included as an appendix to the CE/T Plan

Agreed:

**Comment No.EM-31; DAW33**
**CE/T Plan Page/Section: pg. A.1-2; RAM (first activity)**

Comment: Cannot be fully established until after installation of CAWWT, therefore, DOE approval will not occur until after that date.

Response: See response to EM No. 8.

Action: See comment EM No. 8.

Agreed:

**Comment No.EM-32; DAW34**
**CE/T Plan Page/Section: Table A.1-1**

Comment: Table needs to be expanded to include general context of what the purpose of the agreement is/why it was put in place. Also need a column that provides end point of where Fluor intends to be at Site Closure (e.g. what is currently closed, what will be closed, etc.)

Response: Fluor Fernald and DOE have now identified the agreements and when they can be "sunsetted". Fluor Fernald will support efforts to "sunset" agreements that can be sunsetted prior to Declaration of Physical Completion. The list of agreements was provided in the March 7, 2005 CE/T Plan Steering Committee Meeting and is attached to the summary. It was not the intent of the CE/T Plan to discuss the intent of the various legal agreements rather the intent was to only identify those agreements that are in place and that remain in force.

The RAM on pg. A.1-2; 5th and 6th rows identifies which legal agreements will remain and what specific action Fluor Fernald must take. Table A.1-1 provides an indication of the status of each legal agreement.

Action: Fluor Fernald and DOE will work together to "sunset" those agreements that can be sunsetted prior to Declaration of Physical Completion.

Agreed:

**Comment No.EM-33; DAW35**
**CE/T Plan Page/Section: Section A.2 RAM; Map 1**

Comment: It is an expectation that all non-required wells will be abandoned prior to Site Closure declaration letter in order to meet requirements.

Response:

DOE, EPA, and Fluor Fernald will need to agree on the specific inventory of wells to remain. Fluor Fernald has provided the DOE its recommendations on well abandonment. DOE will need to make a final determination of which wells need to be physically abandoned needs to be made by April 30, 2005 in order to permit timely completion of the work prior to the Declaration of Physical Completion. DOE has recommended to the regulatory agencies the monitoring wells that should be abandoned. Fluor Fernald can complete the abandonment of these wells if notified by the April 30, 2005 timeframe. All wells to be abandoned will be done in accordance with current well abandonment methodologies.

Action: Monitoring wells approved to be abandoned will be abandoned in accordance with existing methodologies.

Agreed:

**Comment No.EM-34; DAW36**
**CE/T Plan Page/Section: pg. A.2-2; RAM; Map 4**

Comment: All soils need to be certified complete to meet SOW requirements for "completion" or areas with exceptions need to be identified with rationale. The CE/T should identify soil areas with projected dates for certification (month/year).

Response: Acknowledged. Map No. 4 will show those areas yet to be certified. Areas not certified will be related to only the infrastructure required to remain. The specific certification schedule of those soils areas not certified at the time of physical completion is dependant on when remaining infrastructure can be removed (expected to be linked to the completion of groundwater remediation). Therefore, a schedule for certifying those remaining areas would not be meaningful.

Action: None.

Agreed:

**Comment No.EM-35; DAW37**
**CE/T Plan Page/Section: pg. A.2-2; line 12**

Comment: Fluor will need to complete an interim Risk Assessment to demonstrate end condition for OUs 1-4 and adequate progress on OU-5. Site Closure cannot be achieved until this is complete.

Response: DOE has asked that Fluor Fernald complete an interim risk assessment that will assess risk at the point of Physical Completion. There is no requirement to complete such a risk assessment as a prerequisite to Declaration of Physical Completion, and some of the information necessary to completion of this risk assessment will only become available following the Declaration of Physical Completion. Fluor Fernald is willing to complete this interim risk assessment during the Contract Closeout Period. Fluor Fernald and DOE will work together to determine how to implement this work contractually.

DOE and Fluor Fernald agreed that an interim risk assessment of the site would be provided to DOE within 90 days following the declaration of Physical Completion. See also response to Global No. 4.

5908

Action: Fluor Fernald will complete an interim residual risk assessment within 90 days following the declaration of physical completion. See also comment Global No. 4

Agreed:

**Comment No.EM-36; JSB38**
**CE/T Plan Page/Section: Table A.2-1**

Comment: A specific action/deliverable/milestone date needs to be provided for each submission of the Final Remedial Action Report as well as for the submission of the Interim Remedial Action Report(s) for OU 5.

Response: Fluor Fernald is concerned about agreeing to any specific milestones for these reports due to the many unknowns. Time frames have been provided via the Fact Sheet prepared and approved by the agencies that define the contents and scope of these reports. Target dates can be provided in the CE/T Plan with the express understanding that they are non-binding.

As discussed during the 10/29/04 steering committee meeting, it is the intent of DOE and Fluor Fernald to have as many final Remedial Action documents submitted and approved by the regulatory agencies as possible prior to physical completion. It is our joint intent to submit draft documents to the regulatory agencies and seek their input prior to final submission for regulatory agency review and approval.
A final Remedial Action Report or Interim Report will be considered accepted by DOE if it is submitted to the regulatory agencies or if it meets the same standard of quality of previously submitted reports. Delays in DOE submittal of an otherwise acceptable report will not adversely impact Fluor Fernald's successful declaration of physical completion. Acceptability will be based on consistency with agreed upon formats and types and levels of detail. Reports may be submitted to agencies for review prior to formal submittal.

DOE has assured Fluor Fernald that they do not intend to use the informal process close to the declaration of physical completion in a way that would endanger the declaration. It is in the best interest of Fluor Fernald and DOE to have as much as possible reviewed and approved by the agencies as early as possible. While agency approval of final or partial reports is not a prerequisite to Fluor Fernald's right to submit its Declaration of Physical Completion, DOE and Fluor Fernald anticipate that the final reports for OU1 and OU2 will already be fully approved by the regulatory agencies prior to the submission of the Declaration of Physical Completion. In addition, Fluor Fernald and DOE anticipate submission of partial reports that will result in agency review and approval of most of OU3, OU4, and OU5 prior to the Declaration of Physical Completion. DOE and Fluor Fernald have agreed that the early submittal process will provide an understanding of the content of the reports that are necessary for DOE acceptance. Reports submitted by Fluor Fernald within the last 90 days prior to the Declaration of Physical Completion will be considered accepted by DOE so long as they are consistent with the content standards established in prior reports accepted by DOE.

Action: Fluor Fernald will provide a current forecast of projected submittal dates for the various Remedial Action Reports. While these forecast dates are not contractually binding, they will be submitted in good faith to allow both parties to better plan for review cycles. The dates will be provided in Section B of the CE/T Plan; Matrix Table B.1-4.

Agreed:

**Comment No.EM-37; JSB39**
**CE/T Plan Page/Section: pg. A.4-1; line 25**

Comment: What is the basis/rationale for 3 months versus a different timeframe? Once rationale and timeframe is agreed upon between Fluor and DOE, it will be incorporated into the FCP STP by DOE.

Response: During discussion among EM, LM, and Fluor Fernald, three months was determined to be the minimum amount of time necessary to efficiently transition complicated activities from Fluor Fernald to another contractor using different people. Less time would be needed if the new contractor was to utilize existing personnel. These dates and necessary preliminary work are identified in the TTTs.

Action: None.

Agreed:

**Comment No.EM-38; JSB40**
**CE/T Plan Page/Section: Table A.4-2**

Comment: Please provide detailed supporting documentation for each aspect of the cost estimate.

Response: Fluor Fernald transmitted on January 12, 2005 to DOE a budget estimate for legacy management activities and contract closeout. Fluor Fernald will continue to work with DOE to refine these estimates as needed. Fluor Fernald will update the Contract Closeout cost estimate during discussions with DOE on the Contract Closeout Plan.

Action: Continue to work with OLM and DOE-FCP on a revised estimate for Legacy Management activities as outlined above.
Agreed:

**Comment No.EM-39; JSB41**
**CE/T Plan Page/Section: pg. A.5-2; RAM (first activity)**

Comment: Once rationale and timeframe is agreed upon between Fluor and DOE, milestones/deliverables will be incorporated into the FCP STP by DOE.

Response: Comment acknowledged.

Action: None.

Agreed:

**Comment No.EM-40; JSB42**
**CE/T Plan Page/Section: pg. A.6-1; line 5**

Comment: Describe impacts if DOE does not accept the LMI CP by October 31, 2004. (Issue also relates to previous comments on LMICP timing)

Response: See response to Comment Global No. 2.

Action: See comments Global No. 2 and EM No. 8

Agreed:

**Comment No.EM-41; JSB43**
**CE/T Plan Page/Section: Section B General**

Comment: Representations made in this section need to be consistent with approved baseline scope definitions OU-3 that require FFI to obtain final approval of the final remedial action report and close out of the administrative record. The baseline includes/defines the contract scope and includes cost for this activity. The CE/TP needs to identify the completion of the OU-3 scope of work identified in the baseline.

5908

Response: See responses to Global-1 and EM-36.

Action: Complete the OU3 scope of work as defined in CE/T Plan Matrix Table B.1-5.

Agreed:

**Comment No.EM-42; NKA44**
**CE/T Plan Page/Section: Section B General**

Comment: The Matrix Tables, 4th block's heading should be "Activities for transfer to Responsible by EM and/or LM"

Response: The Matrix Table Section titled "Activities transferred to Legacy Management" indicates the activities that will continue during the legacy management phase. It was not intended to identify the specific DOE office that will be responsible for those activities.

Action: The heading can be revised if DOE so desires.

Agreed:

**Comment No.EM-43; NKA45**
**CE/T Plan Page/Section: Section B General**

Comment: The Matrix Tables, 3rd block lists "Documents used to demonstrate completion". Some of the documents listed are Plans that do not "demonstrate" to "document" completion.

Response: The Matrix Table Section titled "Documents used to demonstrate completion" provides an indication of the documents/paperwork that serve to show completion of the specific scope of work. Some of the documents will be reports while others maybe forms or manifests.

Action: The heading can be revised if DOE so desires.

Agreed:

**Comment No.EM-44; JSB46**
**CE/T Plan Page/Section: Section B General**

Comment: Revise each matrix table in this section to also show a specific date for each action/deliverable/milestone (month/year) described in the matrix tables.

Response: The intent of the CE/T Plan as written is to provide an indication of the end state conditions. Specific schedules for the completion of physical work are included in the baseline. Activities (and non-binding forecast schedules) being transitioned to legacy management will be tracked using the task transfer tool described in Section A that will be attached to the CE/T Plan. Activities that will occur during Contract Closeout are subject to a schedule developed in the Contract Closeout Plan.

Action: The Task Transfer Tools will be added as an appendix to the CE/T Plan. The draft Contract Closeout Plan will be six months prior to the projected declaration of physical completion (i.e. September 2005)..

**Comment No.EM-45; JSB47**
**CE/T Plan Page/Section: Section B General**

5908

Comment: Please prepare a matrix/summary/recap of those elements which are unrelated to physical completion that may or may not continue after the declaration. In one sense, this seems to be a very narrow interpretation of the scope of Clause C.1.2.

Response: See response to Global-1. The Matrix Table Sections "Activities transferred to Legacy Management" and "Activities Continuing During Contract Closeout Phase" provide the information requested.

Action: None.

Agreed:

**Comment No.EM-46; NKA48**
**CE/T Plan Page/Section: pg. B.1-3; PBS-06 Supporting Table**

Comment: The documents approval for the Natural Resource Restoration Plan has a history of having 7 of 13 design plans approved in the last 6 years "with agency issues" , 6 remaining to be complete by 2005. Need to assess the nature of the "agency issues" and evaluate how the remaining plans would track based on historical knowledge/behavior. This will help to lay out the "Regulatory Closure" schedule for the CD-4 team and LM team (as well as evaluation against the Contract clause).

Response: A total of 10 designs have been submitted to the U.S. EPA and Ohio EPA. Two are currently under review by both Agencies. U.S. EPA has approved all of the 8 designs not currently under review. Ohio EPA has approved 3 designs and disapproved the last 5 designs submitted. The primary issue resulting in the Ohio EPA disapproval of the 5 designs is the fact that the proposed monitoring of the projects has been cut down to one year after completion per direction from the DOE-FCP as compared to two or three years in the first three designs submitted. There have also been less significant, technical issues, such as the inclusion of plastic erosion matting and a change in the seed mix, that have contributed to the disapprovals. Those changes in the technical content of the designs were based on direction from the DOE-FCP natural resource representative. DOE-FCP is currently negotiating with Ohio EPA to settle the Natural Resource Claim for Fernald. Part of the ongoing negotiations involves finding a way to resolve the issue relating to the disapproval of the restoration designs. Fluor Fernald will await DOE direction on this issue.

See also response to Comment Global No. 2.

Action: Fluor Fernald will continue to support DOE-FCP in reaching a settlement of the natural resource claim that includes resolving the issue of the unapproved natural resource designs.

Agreed:

**Comment No.EM-47; JT49**
**CE/T Plan Page/Section: pg. B.1-5; Definition of Completion**

Comment: DOE will provide specific acceptance of the document. If DOE transmits the document as draft as part of the review, it does not serve as documentation that DOE accepted the submission.

Response: See response to EM-36.

Action: Fluor Fernald will prepare and submit drafts of subject reports in good faith to facilitate DOE's ability to accept these reports.

Agreed:

**Comment No.EM-48; JT50**
**CE/T Plan Page/Section: pg. B.1-6; Activities Continuing During Contract Closeout Phase**

Comment: In order to achieve site closure pursuant to section C.1.2, demobilization activities must occur prior to declaration of completion.

5908

Response: See response to Global No. 1.

Action: See comment Global No. 1

Agreed:

**Comment No.EM-49; JT51**
**CE/T Plan Page/Section: pg. B.1-8; Activities Continuing During Contract Closeout Phase**

Comment: In order to achieve site closure pursuant to section C.1.2, demobilization activities must occur prior to declaration of completion.

Response: See response to Global No. 1.

Action: See comment Global No. 1
Agreed:

**Comment No.EM-50; JT52**
**CE/T Plan Page/Section: pg. B.1-10; Documents used to demonstrate completion**

Comment: As built drawings are required for Site Closure, not CFC. FIMS data is needed also. Manuals, Procedures, MT records, etc.

Response: There may be some instance where As-built drawings are not yet available due to physical completion activities. Contract Modification No. 38 is based on physical completion. As-built drawings are not a part of physical completion criteria. (See also response to EM-16.) As-built drawings will be provided during the Contract Closeout Phase.

Assume the comment relative to FIMS refers to the "facility information management system." The information in this system will be reviewed for applicability to required completion documentation.

Action: Fluor Fernald will work with DOE to ensure any existing facility information is identified for use by EM or OLM.

Agreed:

**Comment No.EM-51; JT53**
**CE/T Plan Page/Section: pg. B.1-11; Documents used to demonstrate completion**

Comment: As built drawings are required for Site Closure, not CFC. FIMS data is needed also. Manuals, Procedures, MT records, etc.

Response: See response to EM-50.

Action: See comment EM-50

Agreed:

**Comment No.EM-52; JT54**
**CE/T Plan Page/Section: pg. B.1-13; Activities Continuing During Contract Closeout Phase**

Comment: In order to achieve site closure pursuant to section C.1.2, demobilization activities must occur prior to declaration of completion.

Response: See response to Global No. 1.

Action: See comment Global No. 1

Agreed:

**Comment No.EM-53; JT55**
**CE/T Plan Page/Section: pg. B.1-15; Definition of completion**

Comment: The specific detail of what these exceptions are needs to be identified as part of the CE/T now for DOE to review/concur. The CE/T should provide a list of what is in and what is out (e.g. clearly illustrate what is to be certified at site closure and where the exceptions are & why).

Response: Acknowledged. Map No. 4 will show those areas yet to be certified. Areas not certified will be related to only the infrastructure required to remain. See also response to EM-34.

Action: See comment EM-34

Agreed:

**Comment No.EM-54; JT56**
**CE/T Plan Page/Section: pg. B.1-16; Supporting Table to PBS-06; Soil Certification Areas**

Comment: These activities should be completed prior to declaration of completion. The table indicates completion after March 2006, which is after the assumed date of completion.

Response:

All soil certification areas will be certified prior to the declaration of physical completion (except those areas associated with infrastructure to remain). Because some of the specific certification reports will not be through the agency review/approval process, submission to the DOE is all that is required. These reports will reflect however, the methods of certification always followed and include the data demonstrating certification is achieved. Certification reports will be treated similar to final Remedial Action reports. Most of the certification reports will have been approved by the agencies prior to Physical Completion. Certification reports submitted within the last 90 days prior to the date of Physical Completion will be considered accepted by DOE when sent to the agencies for their review or when the documents meet the accepted content standard already established from approval of earlier documents. . See also Response to Comment EM-2 related to documents.

Action: The table will be revised to show submission dates of the reports rather than EPA approval dates to avoid confusion and provide a clear picture of those reports that will not be through the review/approval process. See also the "Action" for Comment EM-2.

Agreed:

**Comment No.EM-55; JT57**
**CE/T Plan Page/Section: pg. B.1-16; Supporting Table to PBS-06; Soil Certification Areas**

Comment: These activities should be completed prior to declaration of completion. The table indicates completion after March 2006, which is after the assumed date of completion.

Response: See response to EM-54

Action: See comment EM-54

Agreed:

**Comment No.EM-56; JT58**
**CE/T Plan Page/Section: pg. B.1-17; Activities Continuing During Contract Closeout Phase**

Comment: In order to achieve site closure pursuant to section C.1.2, demobilization activities must occur prior to declaration of completion.

Response: See response to Global No. 1.

Action: See comment Global No. 1.

Agreed:

**Comment No.EM-57; JT59**
**CE/T Plan Page/Section: pg. B.1-19; Documents used to demonstrate completion**

Comment: As built drawings are required for Site Closure, not CFC. FIMS data is needed also. Manuals, Procedures, MT records, etc.

Response: See response to EM-50.

Action: See comment EM-50.

Agreed:

**Comment No.EM-58; JT60**
**CE/T Plan Page/Section: pg. B.1-19; Activities Continuing During Contract Closeout Phase**

Comment: In order to achieve site closure pursuant to section C.1.2, demobilization activities must occur prior to declaration of completion.

Response: See response to Global No. 1.

Action: See comment Global No. 1.

Agreed:

**Comment No.EM-59; JT61**
**CE/T Plan Page/Section: pg. B.1-20; Documents used to demonstrate completion**

Comment: This should be states as at a DOE identified disposal site, rather than a specific site name.

Response: Agree.

Action: Will revise to include text as suggested

Agreed:

**Comment No.EM-60; JT62**
**CE/T Plan Page/Section: pg. B.1-20; Activities Continuing During Contract Closeout Phase**

Comment: In order to achieve site closure pursuant to section C.1.2, demobilization activities must occur prior to declaration of completion.

Response: See response to Global No. 1.

Action: See comment Global No. 1.

Agreed:

**Comment No.EM-61; JT63**
**CE/T Plan Page/Section: pg. B.1-21; Definition of completion**

Comment: Need further clarification on specific inventory. Need to complete disposition; up to date prior to completion.

Response: Certificates of Disposal and Destruction are not a ROD requirement. The requirement is that any waste identified for off-site disposal must be shipped off-site to a licensed or permitted facility for disposal. Neither the AEC nor RCRA require these certificates. TSCA does require that the generator receive a certificate of disposal or destruction. For TSCA material, certificates of destruction will be obtained.
Fluor Fernald believes that the DOE has the responsibility of providing off-site disposition alternatives and maintaining the associated risk of performance and delay. Fluor Fernald will work in good faith to make sure that waste shipped off-site is treated and disposed prior to the Declaration of Physical Completion. Fluor Fernald has provided DOE copies of its schedules for disposition of wastes from the site. These schedules demonstrate Fluor Fernald's intent to disposition waste as quickly as possible. However, the disposition of this waste will not be considered necessary for the Declaration of Physical Completion. For wastes awaiting treatment or disposal after the Declaration of Physical Completion, Fluor Fernald will complete the process of treatment, disposal, and obtaining certificates of destruction for TSCA waste. The cost for completing this work will be reimbursable under the contract and considered part of the project cost. For planning purposes, it is expected that this work would be completed within 12 months after the Declaration.

Additionally, there may be a small number of containers that will have no treatment options. Currently, there is no waste in this category. Fluor Fernald will work with the DOE to develop a plan for the storage any such "orphan" waste at another DOE site. The storage would be needed until treatment options become available. Delay in availability of these treatment options would not adversely impact Fluor Fernald's ability to make the Declaration of Physical Completion. Any waste in this category would become DOE's responsibility at the time of Declaration of Physical Completion.

Fluor Fernald's plan for disposition of all wastes is part of its baseline schedule and is tracked regularly by DOE.

Fluor Fernald will share with DOE its plan for minimizing the newly generated waste that will be present at declaration of physical completion. Waste Management of newly generated waste is one of the functions that will be transferred to legacy management. A TTT for waste management will identify the process of transition including opportunities to discuss the status of newly generated waste quantities. Some agreed to newly generated waste will be left for DOE OLM to manage at declaration of physical completion. Fluor Fernald will be responsible for the cost of managing this waste as part of project cost. Fluor Fernald has provided DOE a list of expected types and quantities of waste that would be present at the time of Declaration of Physical Completion.

Action: Fluor Fernald will provide as part of the project tracking system monthly updates on the status of newly generated waste and legacy waste disposition. This regular monthly update will identify any wastes that may not have a disposition pathway. At this point in time, the only waste identified that would need off-site disposal is waste from the operation of CAWWT; however, other very limited quantities may be included.

Agreed:

**Comment No.EM-62; JT64**
**CE/T Plan Page/Section: pg. B.1-22; Activities Continuing During Contract Closeout Phase**

Comment: Waste generation is the responsibility of FFI independent of the date of generation or the need for waste profiles. Final disposition of waste may extend beyond the date of physical completion however the CE/TP needs to be specific as to what waste streams are planned beyond the physical completion with estimated quantities and disposition paths.

Response: See response to EM-61

Action: See comment EM-61

Agreed:

**Comment No.EM-63; JT65**
**CE/T Plan Page/Section: pg. B.1-24; Supporting Table for LM Infrastructure**

Comment: Need to discuss in a meeting to understand rationale and basis for future need to support LM activities.

Response:
*See response to Global No.2.*

Action: See comment Global No. 2.

Agreed:

**Comment No.EM-64; JT66**
**CE/T Plan Page/Section: pg. B.1-24; Supporting Table for LM Infrastructure**

Comment: Need to discuss in a meeting to understand rationale and basis for future need to support LM activities.

Response: See Response to Global No. 2

Action: See comment EM-63

Agreed:

**Comment No.EM-65; JT67**
**CE/T Plan Page/Section: pg. B.1-24; Supporting Table for LM Infrastructure**

Comment: Need details to be provided in the CE/T to support DOE review and approval.

Response: See Response to Global No. 2

Action: See comment EM-63

Agreed:

**Comment No.EM-66; JT68**
**CE/T Plan Page/Section: pg. B.2-1; Activities transferred to Legacy Management**

Comment: Activities will need to identified, verified and planned for in LMICP process so approval will not occur in the CE/T document process.

Response: The "Activities transferred to Legacy Management" evaluation of this specific scope of work item is a general description of the items currently included in this scope of work that will likely continue during the legacy management phase of the FCP. Specific transitioning activities will be identified in the Task Transfer Tool discussed in Section A of this CE/T Plan.

Action: None.

Agreed:

**Comment No.EM-67; JT69**
**CE/T Plan Page/Section: pg. B.2-3; Activities transferred to Legacy Management (property management)**

Comment: Will not be done by 12/31/04 because ongoing activities associated with LMICP and NRDA will define and they will not be finalized by 12/31/04.

Response: See response to EM-63 and comment Global No. 2

Action: See comments EM-63 and Global No. 2

Agreed:

**Comment No.EM-68; JT70**
**CE/T Plan Page/Section: pg. B.2-5; Activities Continuing During Contract Closeout Phase (records management)**

Comment: Until Fluor generates a listing of activities to occur prior to declaration and those activities anticipated after for DOE review, DOE does not agree with categorization.

Response: The categorization is this section is based on the table provided in Section B.2 – C.3.4 "Records Management." The categories of records have been developed in consultation with OLM based on their projected needs after physical completion. The process of identifying the records that require transition to OLM should remain focused on OLM needs, as opposed to the activities that Fluor Fernald will perform prior to Physical Completion.

See response to Global-1.

Action: See action under Global-1.
Agreed:

**Comment No.EM-69; JT71**
**CE/T Plan Page/Section: pg. B.2-14; Definition of completion**

Comment: Would like to discuss what this is and where is it defined

Response: The requirement for the Fernald Physical Protection Plan is included in Contract Section J, Attachment 3

Action: None.

Agreed:

**Comment No.EM-70; NKA72**
**CE/T Plan Page/Section: Section C General**

Comment: Section C.1 describes the declaration approach in phases, broken up by 6 "preliminary declaration" punctuates with the Site Completion Letter. The phased approach Declaration requires discussion and agreement.

Response: Contract Clause F.6 states that "...DOE will review and consider preliminary declarations of work completion." Fluor Fernald requested and DOE agreed to the inclusion of the language providing for preliminary declarations of work completion as an integral part of the Modification No. 38 negotiations Section C provides the strategy Fluor Fernald will use to make these preliminary declarations. Preliminary declarations are beneficial to both DOE and Fluor Fernald. They provide opportunities to agree that elements of physical completion are finished reducing both DOE and Fluor Fernald's workload at the end of the project.

Action: Fluor Fernald will work with DOE to plan and schedule these preliminary declarations.

Agreed:

**Comment No.EM-71; JSB73**
**CE/T Plan Page/Section: Section C General**

Comment: Revise this section to include a specific date for each action/deliverable/milestone cited in this section.

Response: The completion date of projects and areas within a project is shown in the baseline and the ETC baseline. Since the project is in a constant state of flux, showing completion dates would be somewhat meaningless since a CE/T Plan revision would be required to keep it current with the project control schedules that are already in place and used as the official tools for project schedule monitoring and forecasting. As such, addition of specific dates is not recommended.

Action: None.

Agreed:

**Comment No.OLM-1**
**CE/T Plan Page/Section: NA**

Comment: The single most important issue raised by this document, from an OLM viewpoint, is what is encompassed in 'Physical Completion'. Since the concept of 'Physical Completion' lays the groundwork for this document, the definition needs to clearly state what physical completion is and when it is claimed. As written, the document generally defines Physical Completion as the actual fieldwork being done. It does not include decontamination of contaminated equipment used for remediation or certification of late time frame vegetation being successful. From an OLM standpoint, the failure to include items such as: completion of Records and Database transfers; post closure monitoring and maintenance requirements defined; personnel liabilities addressed; all remedial actions, including equipment decontamination, except OU5 completed; all permits, access agreements, et al in place for 2 plus years post declaration; and the entire aquifer restoration infrastructure in place and operational, to assure smooth transition (also required by the contract) within Physical Completion is worrisome. OLM's opinion is that such items should be included prior to Physical Completion.

Response: See response to Global -1

Action: See action for Global –1

Agreed:

**Comment No.OLM-2**
**CE/T Plan Page/Section: NA**

Comment: The document refers to the transfer of activities to "Legacy Management," which was first assumed to mean transfer to the Office of Legacy Management. However, it appears that the document uses the term Legacy Management/legacy management interchangeably and uses it as a generic term, rather than as an organizational term. To clarify and be consistent with other documents, use OLM for the Office of Legacy Management and LM for legacy management, as in the LMICP. (See page A-2, line 25)

Response: See pg. Intro-4; lines 30 – 36. This language intended to specifically clarifiy that the phrase "legacy management" refers to the phase of the FCP after physical completion and not to the DOE Office of Legacy Management.

Action: A review of the CE/T Plan will be made for consistency in reference to OLM.

Agreed:

**Comment No.OLM-3**
**CE/T Plan Page/Section: NA**

Comment: DOE-EM and Fluor should consider negotiating a change to the final CE/T date to 3 or 6 months prior to agreed closure date, otherwise there will be only 6 months between this one and the Final.

Response: Clause F.7 requires submittal of the CE/T Plan no later than September 30, 2004 and updated one year "prior to site closure." Fluor Fernald and DOE have worked diligently to resolve policy and technical issues from the first CE/T Plan Submittal. The revised CE/T Plan will be completed in April 2005 to incorporate these resolutions. Fluor Fernald and DOE have agreed to update the CE/T Plan with information not currently available six months prior to Declaration of Physical Completion.

Action: The CE/T Plan will be revised by April 30, 2005. A second revision will be made in September 2005 to update project status and add new information.

Agreed:

**Comment No.OLM-4**
**CE/T Plan Page/Section: NA**

Comment: Throughout the document, Fluor Fernald describes transition to LM or LM contractor. The correct process is Fluor to EM to OLM.

Response: It is Fluor Fernald's intent in the CE/T Plan to reflect transition from an active remediation project to long-term stewardship (legacy management).

Action: Fluor Fernald will review the CE/T Plan to make sure the language is consistent.

Agreed:

**Comment No.OLM-5**
**CE/T Plan Page/Section: NA**

Comment: There are links/crosswalks between the information presented in A, B, and C. More information could be provided to provide that linkage. For example, the matrices in Section B could be cross-walked with the readiness sections 1 through 9 in Section A. Also, the listing of documents in Matrix Table B.1-4 could reference the outline for the RA reports in Section A.

Response: See response for Global-5.

Action: None.

Agreed:

**Comment No.OLM-6**
**CE/T Plan Page/Section: NA**

Comment: There are several key dates: update to the CE/T, completion of closure contract work scope, declaration of physical completion, DOE acceptance of physical completion, etc. Include a graphic that depicts these dates on a timeline.

Response: The intent of the CE/T Plan is to depict end state conditions both for physical completion and for the transfer readiness criteria to be achieved. Fluor Fernald understands that DOE is preparing this type of graphic for it's use and will support it as a separate activity.

Action: None.

Agreed:

**Comment No.OLM-7**
**CE/T Plan Page/Section: NA**

Comment: Document should be consistent throughout – changes made in response to comments or revisions in one section need to be made in other sections as appropriate.

Response: Acknowledged.

Action: The CE/T Plan will be reviewed for consistency relative to agreed to changes.

Agreed:

5908

**Comment No.OLM-8**
**CE/T Plan Page/Section: NA**

Comment: The same method used to number Tables and Pages makes it difficult to review/discuss the CE/T. It is cumbersome distinguishing between the Table or Page number. Modify the page number or table number to alleviate the issue.

Response: Acknowledged.

Action: Once the necessary revisions to the CE/T Plan are understood, Fluor Fernald will consider which page numbering system is the most efficient

Agreed:

**Comment No.OLM-9**
**CE/T Plan Page/Section: Plan Origin (Page Intro-2, lines 7 - 8)**

Comment: Define the calendar date equivalent to when the CE/T Plan will be updated, i.e. referring to the "one year prior to site closure."

Response: See response to OLM-3.

Action: See action for OLM-3

Agreed:

**Comment No.OLM-10**
**CE/T Plan Page/Section: Document Organization (Page Intro-3, line 13)**

Comment: Add reference to section C.3.4 Records Management, section of contract. Add before last sentence in line 14 "Section C.3.4 details the Record Management Program requirements."

Response: The referenced section attempts to only define why the content of Section A was selected. Contract Section C.3.4 is addressed in Section B.2 (pg. B.2-11).

Action: None.

Agreed:

**Comment No.OLM-11**
**CE/T Plan Page/Section: Section A (page A-1, lines 23 – 33):**

Comment: This paragraph mentions Section A and Section C; however, Section B is not tied into the process.

Response: The reference to Section C in this section is not necessary and will be deleted. See also, response to OLM-5

Action: The last sentence of the referenced paragraph will be deleted

Agreed:

**Comment No.OLM-12**
**CE/T Plan Page/Section: Organization of Section A (page A-2, lines 7 - 12)**

Comment: The discussion centers around Fluor Fernald's 'Task Transfer Tool' which has been developed to identify the what, how, whom, and when for all the specific activities within each of the nine areas. While OLM cannot mandate use of a particular tool, it has been discussed in meetings between EM, OLM and Fluor Fernald that, ideally, the Task Transfer Tool should support the development of the DOE tools (e.g. as a feeder document) such that the two can be used together.

Response: The Task Transfer Tool is being used as a feeder document to the DOE Transition Matrix.
Action: Use the Task Transfer Tool as described in the response.

Agreed:

**Comment No.OLM-13**
**CE/T Plan Page/Section: pg. Intro-4; line 9**

Comment: Due to NRD and Silo issues, October 31, 2004 to have any (all is implied) approval of the LMICP is too early.

Response: See response to Global-2

Action: See action for Global-2

Agreed:

**Comment No.OLM-14**
**CE/T Plan Page/Section: Relationship of the Readiness Analysis RAM (page A-3)**

Comment: Add text to introduce the RAM table and explain the source of the activities in the RAM and the purpose of the activities in the RAM. DOE-EM is requesting a matrix that will address the 9 vs. 10 areas.

Response: See page A-1; lines 23 – 39 which provides text explaining the RAMs. Also see response to Global-5.

Action: See action for Global-5

Agreed:

**Comment No.OLM-15**
**CE/T Plan Page/Section: Relationship of the Readiness Analysis RAM (row 2, page A-3)**

Comment: The LMIC Plan has not yet been identified in the text. Explain further why this is listed the general responsibility assignment matrix.

Response: The LMICP is the central piece to stewardship planning. It is appropriate to identify this document in the general RAM.

Action: None.

Agreed:

5908

**Comment No.OLM-16**
**CE/T Plan Page/Section: Section A.1 (page A.1-1, line 28)**

Comment: Agreements/decrees with environmental regulators, that continue in force, may affect real estate agreements at Fernald and vicinity properties. Ensure cross comparison of agreements and other requirements (e.g., cultural resource protection) are reflected in planned proprietary controls associated with real property transactions listed in RAM, last row, page A.1-2.

Response: Fluor Fernald completed a comprehensive review of all existing offsite real estate agreements and submitted a lits of the current agreements and their expiration dates to DOE in February 2005. These agreements principally relate to granting access or easements to property for remedial activities including sampling and monitoring. The review considered all offsite access/easement needs after Fluor Fernald's Declaration of Physical Completion. The review will identified any agreement expiration dates including those scheduled to expire within two years of March 31, 2006 (i.e. the anticipated Declaration of Physical Completion date). In those instances where a new agreement is required, the review will also identify the dates by which the new agreement is needed. While obtaining any new easements/agreements needed for legacy management is not a requirement for Fluor Fernald's Declaration of Physical Completion, Fluor Fernald will continue to assist DOE in good faith efforts to obtain any required agreements The activity will be identified in a "Task Transfer Tool".

Action: Fluor Fernald will assist DOE in efforts to obtain any required real estate agreements.

Agreed:

**Comment No.OLM-17**
**CE/T Plan Page/Section: Section A.1 RAM (last row, page A.1-2)**

Comment: Along with groundwater monitoring, ensure that other monitoring stations (i.e., air monitoring) are included in the real property access, FIMS, GEMS, if they are required after transition (suggested in Table A.1-1 – Fernald Closure table, Row One and Clean Air Act monitoring in federal facility agreement 86)

Response: See response to OLM-16.

Action: See action for OLM-16.

Agreed:

**Comment No.OLM-18**
**CE/T Plan Page/Section: Section A.1 (row 1, page A.1-2)**

Comment: Add the IEMP to the LMICP attachment list. Add a second box for the final inclusion of the IEMP into the final LMICP (planned 3-06). Also add that agency comments are being addressed for the LMIC.

Response: The IEMP will be added as suggested. Fluor Fernald suggests that the day-to-day status of the comment cycle is an implementation detail and need not be included in the CE/T Plan. The "Task Transfer Tool" for the IEMP will provide key planning dates for the transition of the IEMP process.

Action: The IEMP will be added as suggested.

Agreed:

**Comment No.OLM-19**
**CE/T Plan Page/Section: Section A.1 (row 7, page A.1-2)**

Comment: Clarify when (month/year) the final configuration of the infrastructure is finalized (e.g., refer to another section of the plan). Also Fluor Fernald will acquire any new easements and/or access agreements that may be needed for legacy management (i.e. the NPDES outfall pipeline for sampling and inspection). Activities and milestones (month/year) should

be included in the CE/T document. Fluor Fernald should also identify for renewal any current easements and/or access agreements that are due to expire up to 2 years past physical closure by March 31, 2006. The planning assumption is that DOE will be the signatures on these new or renewed easements or access agreements and not Fluor Fernald.

Response: The final infrastructure required to transfer to DOE will not be complete until March 2006 given the requirements of the January 2002 Draft Natural Resources Restoration Plan. This will be referenced in the CE/T Plan update. In addition, see the response to OLM-16.

Action: See action for OLM-16

Agreed:

**Comment No.OLM-20**
**CE/T Plan Page/Section: Section A.1, Table A.1-1 (page A.1-6)**

Comment: The NPDES Permit 1IO00004*GD should be identified under 'Permits and Commitments.'

Response: Acknowledged.

Action: Will revise as suggested.

Agreed:

**Comment No.OLM-21**
**CE/T Plan Page/Section: Section A.2 RAM (page A-2.1 through A-2.2)**

Comment: Unclear when the post-closure maps will be prepared. Provide a date (month/year) in CE/T Plan document revisions.

Response: Will attempt to identify specific dates in the next revision of the CE/T Plan. The comments section of the RAM indicates the general method/timing for finalizing these maps

Action: Include target dates in the CE/T Plan for when the post-closure maps will be finalized.

Agreed:

**Comment No.OLM-22**
**CE/T Plan Page/Section: Section A.2 RAM (page A-2.1)**

Comment: It was expected that the Site Environmental Report for CY2005 would be included in this section. Fluor Fernald will complete the draft Site Environmental Report for CY2005 and provide it to DOE to issue for agency review. OLM will be responsible for resolving comments.

Response: Acknowledged. Fluor Fernald will complete the Site Environmental Report for CY 2005 according to the schedule provided in the IEMP TTT. Comment responses will be managed by DOE. The draft report will be completed to the extent feasible given the ability to secure all necessary analytical results. The submission of this draft report will not be considered in evaluating Fluor Fernald's Declaration of Physical Completion. The 2006 data collected through March 2006 will be made available to DOE. This activity will be identified in the Task Transfer Tool.

Action: Will include the 2005 SER in the RAM as suggested and in the "Task Transfer Tool".

Agreed:

**Comment No.OLM-23**
**CE/T Plan Page/Section: Section A.2 RAM (row 2, page A.2-1)**

Comment: An off-site reading room is being called for in this plan. EM will need to ensure real estate actions are completed if LM-50 decides it needs the off-site reading room. Activity milestones (month/year) should be included. Quote: "It is assumed the CERCLA reading room will be located off-site." See also Section 7 RAM, row 3, page A.7-1.

Response: : Agree. The Operable Unit 3 ROD currently requires the removal of all man-made structures. Fluor Fernald is currently preparing an Explanation of Significant Difference (ESD) to allow the additional structures requested by the DOE Site Manager to stay on site. The Task Transfer Tool for records will provide the plan for transitioning the reading room to DOE at the time of Declaration of Physical Completion. The reading room is currently at the Fluor Fernald Record's Center.

Action: The records Task Transfer Tool will be an addendum to the CE/T Plan.

Agreed:

**Comment No.OLM-24**
**CE/T Plan Page/Section: Section A.2 RAM (page A.2-2)**

Comment: This matrix discusses the FCP Post Closure Maps. Any Legacy items remaining after post-closure which have fixed contamination (i.e. manhole covers, pipeline, fencing, culverts) will require DOE notification in order to coordinate proper handling and disposal if removed. These items will need to be identified, surveyed, and located on a Post Closure Map.

Response: Only those systems associated with the pumping and treatment of groundwater and leachate will contain fixed contamination. No other structures will have fixed contamination. Notes can be added to currently contemplated maps summarizing areas of remaining fixed contamination. All Final Remediation Levels for soils will be met except for those facilities in use for groundwater remediation.

Action: Notes will be added to the appropriate maps.

Agreed:

**Comment No.OLM-25**
**CE/T Plan Page/Section: Section A.2 (page A.2-2, lines 2 – 13)**

Comment: The last paragraph should be inserted into the RAM, rather than as text.

Response: Acknowledged. See also response to Global-4

Action: Will revise as suggested.

Agreed:

**Comment No.OLM-26**
**CE/T Plan Page/Section: Section A.2, Table A.2-1 (page A.2-3):**

Comment: Include the Remedial Design Work Plan and the Remedial Action Work Plans for the operable units. These are primary documents and define the final design and implementation of the selected remedial action for the operable unit.

Response: The listing of the documents is intended to identify the history of the site (in terms of operable units) relative to extent of contamination (RI/FS), the decisions made to remediate the contamination (RODs), and demonstration showing the

remediation has been completed (Final/Interim Remedial Action Reports). The RDWPs and RAWPs are implementation documents and fall outside this intent. These documents will be identified in the Final/Interim Remedial Action Reports.

Action: None.

Agreed:

**Comment No.OLM-27**
**CE/T Plan Page/Section: Section A.2, Table A.2-1 (page A.2-3)**

Comment: Regarding the Operable Unit 5 Interim Remedial Action Reports – if there are multiple reports, identify each one as is done in the rest of the CE/T. There is also conflicting text in the plan regarding the OU5 RA reports and which will be interim and which will be final. See Comment # 23.

Response: Acknowledged. The CE/T Plan will be reviewed to ensure that these reports are described in a consistent manner.

Based on a meeting with the agencies on 11/9/04, it is USEPA's desire that only one OU5 report be submitted but they have agreed that it will include three distinct parts covering groundwater, soils, and the OSDF. Therefore, there will be four Final Remedial Action Reports submitted (OUs 1,2,3, and 4) and one Interim Remedial Action Report for OU5 (comprised of three distinct parts).

Action: Text will be revised as appropriate throughout the CE/T Plan

Agreed:

**Comment No.OLM-28**
**CE/T Plan Page/Section: Section A.3 RAM (page A.3-1)**

Comment: This section deals primarily with ensuring the site is secure, etc. Somewhere in this section, although obvious, it needs to state that Fluor Fernald will turn over all keys to DOE for the facilities, gates, vehicles, etc.

Response: Acknowledged

Action: Will revise as suggested

Agreed:

**Comment No.OLM-29**
**CE/T Plan Page/Section: Section A.3 RAM (page A.3-1)**

Comment: The number of curies in the OSDF needs to be calculated by Fluor Fernald. This information may currently exist in part, but Fluor Fernald should calculate the number of curies in the OSDF once waste placement is complete

Response: After discussions with Legacy Management, it is agreed that upper limit number of curies will be estimated for major radionuclides including Uranium, Thorium isotopes, and Technetium 99 disposed in the OSDF. The details of the calculations and assumptions will also be provided.

Action: Provide information and calculations in Interim Risk Assessment. Provide discussion of Interim Risk Assessment in CE/T Plan. .

Agreed:

**Comment No.OLM-30**
**CE/T Plan Page/Section: Section A.3 RAM (page A.3-2)**

Comment: Fluor Fernald needs to provide the Liner leakage rate calculations to DOE.

Response: RAM as written indicates these calculations will be provided to DOE. The most recent leakage rate determinations for all cells will also be provided at transfer. OSDF "Task Transfer Tool" will indicate how and when this information will be provided.

Action: None.

Agreed:

**Comment No.OLM-31**
**CE/T Plan Page/Section: Section A.3 RAM (row 6, page A.3-2)**

Comment: Clarify the schedule (i.e., dates) for the preparation of the reports.

Response: See Section B; Matrix Table B.1-6; Supporting Table entitled OSDF Construction Quality Assurance Report History

Action: None.

Agreed:

**Comment No.OLM-32**
**CE/T Plan Page/Section: Section A.4 (page A.4-1, line 31)**

Comment: Text indicates it is not Fluor Fernald's responsibility to train LM contractor; however, earlier in the document, Fluor Fernald agrees to provide training, if there is an overlap in time. And, Fluor Fernald offers training during contract closeout (p. B.1-10), which seems to contradict earlier statements.

Response: The referenced text will be reviewed to better clarify Fluor Fernald's position. The type of training currently contemplated by Fluor Fernald is "on the job" type training and not formal classroom instruction. Fluor Fernald is willing to consider providing other training at the request of DOE under appropriate contractual arrangements.
While Fluor Fernald maintains that it is not its responsibility to procure and/or train OLM contractors, it is willing to support OLM on requested training subject to two conditions: 1) Fluor Fernald will support any requested training with otherwise planned staffing levels (i.e. Fluor Fernald will not add or extend the assignment of existing staff to support training); and 2) completing such support will not be a criterion for Fluor Fernald's Declaration of Physical Completion.

Action: Support DOE consistent with the conditions in the response.

Agreed:

**Comment No.OLM-33**
**CE/T Plan Page/Section: Section A.4 RAM (row 2, page A.4-2)**

Comment: Reference is made to Table A.4-1. This table is not complete, nor useful with the information currently included. The entire environmental field/data/reporting effort has not been captured, nor has the administrative portion. There also needs to be a FTE determination tied to each resource type and whether individuals can cover more than one area

Response: Fluor Fernald submitted a legacy management cost estimate to DOE in January 2005 that provides detailed information on the costs associated with post-closure activities. These estimates will be referenced in the CE/T Plan

Action: Reference cost estimate information in the CE/T Plan.

Agreed:

**Comment No.OLM-34**
**CE/T Plan Page/Section: Section A5 (page A.5-1, line 14)**

Comment: Add this as the final bullet: Establishment of a records management program compliant with the DOE Guidance 1324.5B, and the OFO Records Management Program Management Guide dated March 2001. All records subject to the management of Flour Fernald are to be inventoried, scheduled and dispositioned in accordance with an approved Records Management Plan.

Response: Fluor Fernald already has a DOE approved records management plan (reference Contract Section J, Attachment 3) and plans to disposition records in accordance with that plan. The bullet should probably state: All records subject to the management of Fluor Fernald are to be inventoried, scheduled and dispostioned in accordance with the approved Records Management Plan. Fluor Fernald's records management obligations are more fully explained in Section B.2 of the CE/T Plan. Fluor Fernald provided DOE its record's disposition plan Prior to January 31, 2005.

Action: Implement TTT for records. Provide regular updates on records disposition.

Agreed:

**Comment No.OLM-35**
**CE/T Plan Page/Section: Section A5 (page A.5-1 and following information in general)**

Comment: Fluor needs to identify end state databases and their related information (i.e., operating procedures, user procedures, description documents, etc.) will be provided in.

Response: Fluor Fernald is working closely with OLM to develop the specific plan for the transfer of electronic information required to support Legacy Management. A list of the electronic information Fluor Fernald believes will be required to support Legacy Management has been included in the CE/T Plan and provided to OLM for review. OLM has identified the electronic databases they will need from the list provided. A Task Transfer Tool is being developed for each data system or data package being transferred.

Action: Complete Task Transfer Tools for all identified electronic databases and provide in CE/T Plan.

Agreed:

**Comment No.OLM-36**
**CE/T Plan Page/Section: Section A.5 RAM (pages A.5-3 through A.5-7)**

Comment: Some of these databases are questionable whether the entire database or only parts are really required. For example, most of the 6000+ records in the MSDS system will be irrelevant to LM (i.e. not being used post-closure). When it makes sense, transfer only 'active' portions of those databases and archive the remainder. It might cut the list from 6,000+ records to less than 1,000.

Response: Agree. The TTT for each data system or database identifies what and how this information will be transferred.

Action: Continue to work with OLM to identify information required during Legacy Management, including the identification of any systems where partial transfer will be required.

Agreed:

**Comment No.OLM-37**
**CE/T Plan Page/Section: Section A.6 (page A.6-1, lines 5 – 6 and also row 1 of RAM)**

Comment: The acceptance of the LMICP before NRD, silos, and definition of Physical Completion resolution is premature.

Response: See response to Global-2.

Action: None.

Agreed:

**Comment No.OLM-38**
**CE/T Plan Page/Section: Section A.6 RAM (row 1, page A.6-1)**

Comment: The Integrated Environmental Monitoring Plan could change IC and O&M plans due by 10/31/04. EM needs to ensure adequate controls and real estate agreements are in place for transition. DOE acceptance of this plan by 10/31/2004 is not consistent with current activities, and will probably not be realized.

Response: The support plans, including the IEMP, are on their own review/approval cycles. It is Fluor Fernald's opinion that the LMICP, once finalized, will include the latest approved revisions of the support plans. It is not anticipated that any changes to the IEMP will impact the institutional controls currently reflected or the O&M plans of the CAWWT and/or OSDF.

See also response to Global-2.

Action: See action for Global-2

Agreed:

**Comment No.OLM-39**
**CE/T Plan Page/Section: Section A.7 RAM (row 4, page A.7-1)**

Comment: This activity refers to the second CERCLA five-year review and states that the format will follow the first five-year review document. New guidance regarding the preparation of CERCLA five-year reviews was issued June 2001, and needs to be consulted for changes to the contents of the report. Also, ensure that it is provided to DOE in time for their review and time for Fluor Fernald to incorporate changes prior to the physical completion date. Suggest more detail and dates in this section/row.

Response: Comment acknowledged.

Action: Text will be revised to reflect the new guidance and identify the tentative time frame for submission of the document to DOE.

Agreed:

**Comment No.OLM-40**
**CE/T Plan Page/Section: Section A.7 Table A.7-1 (row 4, page A.7-2)**

Comment: The activity's text for 'Specific Threshold below which Program Ends' needs more assertive language, such as 'Once Silos 1 and 2 have been completed, an evaluation of the potential emissions from the residual activities will be made and the position taken that that the FCP is no longer be a NESHAP source.'

Response: Fluor Fernald simply identified that a position could be taken. It is DOE's discretion whether to pursue.

Action: None.

Agreed:

**Comment No.OLM-41**
**CE/T Plan Page/Section: Section A.8 (page A.8-1)**

Comment: There seem to be 3 categories of items: (1) criteria, (2) readiness obligations, and (3) RAM activities. Clarify how those 3 items are related and what their sources are. This same comment applies to Section A.9.

Response: The 3 categories referenced in the comment are used to organize the information relevant to each subject area. The section on "Criteria" outlines the overall goals (relative to Fluor Fernald activities) that must be achieved related to the readiness analysis. "Readiness obligations" identifies the specific commitments (relative to Fluor Fernald activities) that must be met in order to achieve the criteria outlined above. The RAM activities provide additional information related to responsibilities and any clarifying comments.

Action: None.

Agreed:

**Comment No.OLM-42**
**CE/T Plan Page/Section:** Section A.8 (page A.8-1): Line 11

Comment: Community involvement tools need to be BOTH identified and transitioned. An action plan with dates should be provided in this document.

Response: Specific community involvement tools should be identified and included in the Public Affairs Task Transfer Tool. Further, DOE has included their Community Involvement Plan in the LMICP.

Action: No revision to the CE/T Plan is required. Specific activities required to assure a smooth transition of the Public Outreach dimension will be included in the appropriate Task Transfer Tool.

Agreed:

**Comment No.OLM-43**
**CE/T Plan Page/Section: Section A.8 (page A.8-1)**

Comment: In general, this section has little information (and the related Fluor responsibilities and commitments. More detail should be added.

Response: OLM is in the process of developing a Community Involvement Plan to provide additional detail related to Public Outreach. Fluor Fernald is working with OLM to support the development of the CIP. Specific activities that need to be accomplished to reach the required state of transfer readiness will be included in the Task Transfer Tool discussed in the Section A Introduction. The information provided in the RAM reflects the criteria that need to be met to be able to transfer to DOE. The CIP is to be attached to the LMICP.

Action: See action for OLM-42

Agreed:

**Comment No.OLM-44**
**CE/T Plan Page/Section: Section A.9 (page A.9-1):**

Comment: There is no discussion or activity in the text or in the RAM addressing sensitive and natural resources. What about commitments regarding T&E species, wetlands, etc?

Response: Agree.

Action: More detail will be added in the CE/T Plan regarding the identification and protection requirements of sensitive resources. The LMIC Plan will include the steps required to protect sensitive resources.

Agreed:

**Comment No.OLM-45**
**CE/T Plan Page/Section: Section A.9 (page A.9-1): Lines 33-35.**

Comment: Fluor should prepare and transition documentation and recommendations for continued compliance with the NHPA. Any tools, databases, documents, etc., should be required to be provided with dates and responsibility.

Response: See response to OLM-42.

Action: See action for OLM-42

Agreed:

**Comment No.OLM-46**
**CE/T Plan Page/Section: Section A.9 (page A.9-2): Second row of RAM.**

Comment: This document should provide responsibility for who completes the report and when.

Response: The RAM provides lists the responsibilities. The Task Transfer Tool which will be included as an addendum to the CE/T Plan lists specific details on the Fluor Fernald and DOE submittal schedules. The information provided in the RAM reflects the criteria (relative to Fluor Fernald) that need to be met to be able to transfer to DOE.

Action: No revision to the CE/T Plan is required. Specific activities required to assure a smooth transition of the Natural /Cultural/Historical Resources dimension will be included in the appropriate Task Transfer Tool.

Agreed:

**Comment No.OLM-47**
**CE/T Plan Page/Section: Section B Introduction/General**

Comment: The matrices included in this section only indicate those items being transferred to OLM. There must activities that Fluor Fernald will be transferring to EM for completion.

Response: Fluor Fernald will work through all of the transition issues and achieve an acceptable state of transfer readiness to DOE. The matrices in Section B contain a box titled "Activities transferred to Legacy Management." This refers to the phase "legacy management" and not the Office of Legacy Management. Also, see response to OLM-2).

Action: None.

Agreed:

**Comment No.OLM-48**
**CE/T Plan Page/Section: Section B Matrices Box labels:**

Comment: The box labeled "Activities transferred to Legacy Management" should be re-labeled as "Activities required after site closure" or "Activities required after physical completion" (or something similar)

Response: The intent is to differentiate between those activities that are part of legacy management (long term stewardship - the LM phase) with those activities related to contract closeout. Fluor Fernald believes the labels as currently written are appropriate. See also response to OLM-47.

Action: None.

Agreed:

**Comment No.OLM-49**
**CE/T Plan Page/Section: Section B.1 Matrix Table B.1-2 (Definition of Completion Box, page B.1-2)**

Comment: The 17 January 2002 NRRP will be revised per NRD settlement and implementation will be per that revision.

Response: See response to Global-2.

Action: See action for Global-2

Agreed:

**Comment No.OLM-50**
**CE/T Plan Page/Section: Section B.1, Matrix Table B.1-2/PBS-06 (page B.1-3)**

Comment: Both Silos and OSDF Perimeter activities have 2006 dates for initiation of fieldwork. Although not stated, assuming these are calendar year dates. If physical completion is slated for March 31, 2006, question how these activities will be completed and why there isn't mention of a Restored Areas Monitoring Report for 2006? As a side note, if restoration of these areas is not scheduled to begin until 2006, it's questionable about conducting earthwork during January – March month, not to mention being able to stabilize the area with vegetation. Assume that Fluor Fernald would have to have the restored areas stabilized with vegetation being established before declaring physical completion.

Response: The activities related to the Silos and OSDF Perimeter Restoration will involve minimal grading and seeding only. Although conditions may not be optimal, grading and seeding can occur in late February and March. There will be a Restored Area Monitoring Report issued in early 2006 presenting the data collected in 2005. Any data collection in 2006 for a report to be issued in 2007 will be determined as part of any revision to the 2002 NRRP. Fluor Fernald will collect data in 2006 (prior to Declaration of Physical Completion) and transfer that data to DOE. The Task Transfer Tool will identify the time and the information.

Action: Include Task Transfer Tool in CE/T Plan.

Agreed:

**Comment No.OLM-51**
**CE/T Plan Page/Section: Section B.1, Matrix Table B.1-4 (page B.1-5)**

Comment: Under the Documents Used to Demonstrate Completion Section – The OU5 Soil Remediation RA report is identified as a final and the OU5 OSDF and Aquifer Restoration RA reports are identified as interim. This contradicts text elsewhere in the plan (p B.1-5, p B.1-13, p B.1-15; p C-5, etc.). Why would the OU5 OSDF RA report be an interim report? Would

OU5 Soil Remediation RA report be interim if there is still soil left to be certified? Also, under the Activities Transferred to OLM Section, add 'Completion of the OU5 Final Remedial Action Report'. The status of these reports needs to be clear and consistent throughout this document.

Response: The report related to soils was incorrectly identified as final. The report for soils will be interim.

The CE/T Plan will be reviewed to ensure that these reports are described in a consistent manner.

Based on a meeting with the agencies on 11/9/04, it is USEPA's desire that only one OU5 report be submitted but they have agreed that it will include three distinct parts covering groundwater, soils, and the OSDF. Therefore, there will be four Final Remedial Action Reports submitted (OUs 1,2,3, and 4) and one Interim Remedial Action Report for OU5 (comprised of three distinct parts).

The OSDF will be an interim report as it is subject to a 30 year monitoring period as stipulated in the OU2 ROD meaning the remedy, as currently written, could not be completed until this monitoring period has been completed.

Action: The CE/T Plan will be reviewed to ensure the Operable Unit 5 Interim Remedial Action Report is described consistently throughout.

Agreed:

**Comment No.OLM-52**
**CE/T Plan Page/Section: Section B.1, Matrix Table B.1-6 (page B.1-8)**

Comment: Under the 'Activities Transferred to Contract Closeout' Section: Why would 'demobilization of construction equipment and support trailers' be done after physical completion and under Contract Closeout, especially since it identifies those types of activities under the Definition of Completion Section? I think this general theme being present into the 'Activities Continuing During Contract Closeout Phase' regarding the demobilization of construction equipment, support trailers, and .... decontamination should be used sparingly and not throughout Section B. Any decontamination regarding contaminated equipment, etc. needs to be finished prior to physical completion.

Response: See response to Global No. 1.

Action: See comment Global No. 1

Agreed:

**Comment No.OLM-53**
**CE/T Plan Page/Section: Section B.1, Matrix Table B.1-6 (page B.1-8)**

Comment: Any decontamination regarding contaminated equipment, etc. needs to be finished prior to physical completion.

Response: See response to Global No. 1

Action: See action for Global No. 1

Agreed:

**Comment No.OLM-54**
**CE/T Plan Page/Section: Section B.1 Matrix Table B.1-7 (page B.1-10)**

Comment: Review potential future needs for wells, decommission per regulation any unneeded wells before Physical Completion.

Response: On March 8, 2005, DOE identified to the regulatory agencies the monitoring wells recommended to be abandoned. Any wells approved to be abandoned by the regulatory agencies will be accomplished in accordance with existing agency approved methodologies and will be completed prior to the Declaration of Physical Completion subject to timely identification of such wells. Fluor Fernald needs the definitive list of wells to be abandoned by April 30, 2005.

Action: Fluor Fernald will abandon monitoring wells identified

Agreed:

**Comment No.OLM-55**
**CE/T Plan Page/Section: Section B.1 Matrix Table B.1-10, B.1-11 and elsewhere (pages B.1-13 and B.1-15)**

Comment: Decontamination of equipment used for cleanup will generate LLW. This activity and the disposal of the LLW should be part of Physical Completion.

Response: See responses to Global-1 and EM-61.

Action: See actions for Global-1 and EM-61

Agreed:

**Comment No.OLM-56**
**CE/T Plan Page/Section: Section B.1 Matrix Table B.1-9 (page B.1-12)**

Comment: Under Documents Used to Demonstrate Completion Section add that Fluor Fernald will provide DOE with a cleaned up SED database. By cleaned up, all qualifiers are consistent, ID's are standardized, etc.

Response: The comment suggests that Fluor Fernald should "clean up" the Site Environmental Database. There is no contractual requirement for Fluor Fernald to do this and should not be a condition for a successful Declaration of Physical Completion. The "as-is" condition of the SED meets all operational and reporting requirements and needs.

Action: None.

Agreed:

**Comment No.OLM-57**
**CE/T Plan Page/Section: Section B.1 PBS-06 Table (page B.1-16)**

Comment: There are 10 dates past the physical completion date of March 31, 2006. Does this mean that when mentioned in the associated Matrix Table B.1-11, these will be submitted prior to physical completion and that EPA approval isn't expected until these later dates?

Response: All soil certification areas will be certified by Fluor Fernald prior to the Declaration of Physical Completion (except those areas associated with infrastructure to remain). Because some of the specific certification reports will not be through the agency review/approval process, submission to and acceptance by the DOE is all that is required. These reports will reflect however, the standard methods of certification currently employed and will include the data demonstrating certification is achieved.

Action: The table will be revised to show submission dates of the reports rather than EPA approval dates to avoid confusion and provide a clear picture of those reports that will not be through the review/approval process

Agreed:

**Comment No.OLM-58**
**CE/T Plan Page/Section: Section B.1 Matrix Table B.1-12 (page B.1-17)**

Comment: Under the 'Documents Used to Demonstrate Completion' Section, it identifies the Restored Areas Monitoring Report for 2005 (issuing it early 2006). There is fieldwork being initiated in 2006 as presented in the attached table on the following page, so will there be a Restored Areas Monitoring Report for 2006 that needs to be written? Would this become DOE's responsibility? If so, this needs to be stated in the Activities Transferred to Legacy Management Section.

Response: See response to OLM-50.

Action: Fluor Fernald plans to issue the Restored Area Monitoring Report for calendar year 2005 prior to the Declaration of Physical Completion. Text will be added to the referenced section to indicate that any Restored Area Monitoring Reports issued after after the Declaration of Physical Completion will be DOE's responsibility. In addition, comment resolution related to the 2005 report will also be the responsibility of DOE.

Agreed:

**Comment No.OLM-59**
**CE/T Plan Page/Section: Section B.1 Matrix Table B.1-12 (page B.1-17)**

Comment: Add Soil Certification Reports and regulator acceptance to Documents list.

Response: The soil certification portion of PBS-06 is discussed on pg. B.1-15 and B.1-16.

Action: None.

Agreed:

**Comment No.OLM-60**
**CE/T Plan Page/Section: Section B.1: Required LM Infrastructure Table (page B.1-24)**

Comment: Access list for FCP called "Required Legacy Management Infrastructure." Should include off-site access needs for short-term LM monitoring and long-term response actions.

Response:

Fluor Fernald assumes that any off-site infrastructure will involve only the location of the CERCLA reading room and/or other office or storage type facilities. The required LM monitoring will be spelled out in the LMICP and the remaining long-term response action is the continued operation of the groundwater remedy. This infrastructure will be defined prior to the Declaration of Physical Completion.

In February 2005, Fluor Fernald provided to DOE a list of all existing offsite real estate agreements and expiration dates and will work with DOE to update as necessary. These agreements principally relate to granting access or easements to property for remedial activities including sampling and monitoring. The review specifically considers all offsite access/easement needs after Fluor Fernald's Declaration of Physical Completion. Fluor Fernald will work to assist DOE in good faith in efforts to obtain any required agreements

Action: See action for OLM-16

Agreed:

**Comment No.OLM-61**
**CE/T Plan Page/Section: Section B.1: Required LM Infrastructure Table (page B.1-24)**

Comment: Why does OLM need the RR trestle? Include the OSDF infrastructures and trailers.

Response: The RR trestle provides the sole foot-path across Paddys Run in the north property area.

The Table will be revised to include the OSDF and trailers as suggested. The revision will occur during the next revision of the CE/T*plan.*

Action: The Table will be revised to include the OSDF and trailers as suggested. The revision will occur during the next revision of the CE/T Plan.

Agreed:

**Comment No.OLM-62**
**CE/T Plan Page/Section: Section B.2, Matrix Table B.2-1 (page B.2-1)**

Comment: Fluor Fernald needs to provide DOE with a list of current services so that purchase orders can be readied and utility companies contacted. Fluor will need to provide a listing of all purchase services regarding routine utilities that will need to be transferred to DOE or their designated contractor. These services are most likely in Fluor Fernald's name. Services include electric, water, phones/faxes; computer maintenance agreements; postage/fed ex accounts; copier repair services; trash service; janitorial service; lawn maintenance; alarm services; a/c and heating services; etc. Also, in the 'Activities Continuing During Contract Closeout Phase' eliminate the portion referencing transferring contracts to DOE.

Response: This will be entered as an activity to be covered in the development of the Task Transfer Tool. However, the following should be noted: (1) Electricity and water are currently DOE contracts and are not a transfer between Fluor and OLM. (2) Many of the other contracts such as copier repair services and FED EX accounts, the OLM transition team has stated they do not want a transfer. (3) Some of the services such as lawn and janitorial services are performed by FATL&C.

Action: Fluor Fernald will provide OLM a list of all service contracts. The Task Transfer Tool identifies the time frame for providing this list.

Agreed:

**Comment No.OLM-63**
**CE/T Plan Page/Section: Section B.2, Matrix Table B.2-2 (Activities Transferred to LM Box, page B.2-3)**

Comment: There is comment about 'assuming there will be a Legacy Management Contractor'. This seems to an unnecessary side note.

Response: Agree

Action: Text will be deleted.

Agreed:

**Comment No.OLM-64**
**CE/T Plan Page/Section: Section B.2 Matrix Table B.2-2 (Activities Transferred to LM Box, page B.2-3)**

Comment: Until NRD settlement and silos resolution, the identification of facilities needed post closure is premature.

Response: See response to Global-2

Action: See action for Global-2

Agreed:

**Comment No.OLM-65**
**CE/T Plan Page/Section: Section B.2 Matrix Table B.2-3 (Documentation Used to Demonstrate Completion Box, page B.2-6)**

Comment: Add the IEMP and CIP costs in estimate as well as other items listed previous. The estimate should include ALL post closure costs for Legacy Management, except Pensions and Benefits.

Response: A detailed cost estimate for legacy management has been provided to DOE. Fluor Fernald will work with DOE to refine this estimate to meet OLM needs.

Action: Fluor Fernald will work with DOE to refine this estimate to meet OLM needs.

Agreed:

**Comment No.OLM-66**
**CE/T Plan Page/Section: Section B.2 Matrix Table B.2-8 (Records Management Block, page B.2-11)**

Comment: In the second paragraph, second sentence, change "CERLCA Reading Room documents" to "CERCLA AR and IR including documents in the public reading room".

Response: The paragraph in question is a verbatim quote from the contract statement of work. "CERCLA" will be corrected.

Action: Revise text as indicated.

Agreed:

**Comment No.OLM-67**
**CE/T Plan Page/Section: Section B.2 Fernald Closure Project Legacy Management Records Table (page B.2-12)**

Comment: The purpose and intent for inclusion of this table needs to be stated.

Response: The referenced list identifies records that will be the focus of stewardship planning and transition efforts, unless changes are requested by DOE-FCP or OLM.

Action: The purpose of the Table will be stated.

Agreed:

**Comment No.OLM-68**

REVISED RESPONSES TO COMMENTS – WITH ACTIONS
COMPREHENSIVE EXIT & TRANSITION PLAN – OLM ISSUES
April 29, 2005

**CE/T Plan Page/Section: Section B.2 Matrix Table B.2-12 (Documents Used to Demonstrate Completion Box, page B.2-17)**

Comment: Add Stakeholder lists. The CIP will be in the LMICP.

Response: There is a "Task Transfer Tool" that indicates how information on Community Involvement will be transferred. A stakeholder list has already been provided to OLM.

Action: None.

Agreed:

**Comment No.OLM-69**
**CE/T Plan Page/Section: Section C (page C-1, lines 37 – 38)**

Comment: Clarify when (month/year) the four maps will be provided.

Response: See RAM on pg. A.2-1 & 2. Because of the unknowns a general methodology and time frame is included in the referenced RAM. A specific date is not yet known

Action: None.

Agreed:

**Comment No.OLM-70**
**CE/T Plan Page/Section: Section C.1.1 (page C-3)**

Comment: Make sure the documents listed as "interim declaration checklist" items also are listed in the "Documents used to demonstrate completion" in Section B.

Response: Acknowledged.

Action: None.

Agreed:

**Comment No.OLM-71**
**CE/T Plan Page/Section: Map 1**

Comment: Assume that the wells scheduled for abandonment will be identified on the next revision and which will be abandoned prior to physical completion and which will remain and become DOE's responsibility

Response: See response to OLM-54.

Action: See action for OLM-54.

Agreed:

**Comment No.OLM-72**
**CE/T Plan Page/Section: Map 2**

Comment: Show the CAWWT fenced in the next version.

Response: Agree.

Action: Will revise Map No. 2 as requested

Agreed:

**Comment No.OLM-73**
**CE/T Plan Page/Section: Map 3**

Comment: The 't&e habitat' needs to be added to the legend. The OSDF should be shown as fenced. Check the fencing on this map, based upon the legend it looks like there are fences around the ecological areas and the fencing around the CAWWT is different from other fencing being shown. Identify CG&E.

Response: The T&E habitats will be identified on the map as requested. The fencing symbols will be determined and consistently applied to all areas where fencing is required and will be clearly identified in the legend. The CG&E substation and easement are identified on the map. CG&E is an acronym for Cincinnati Gas and Electric.

Action: The T&E habitats will be identified on the map as indicated in the response.

Agreed: