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FLUOR

January 3, 2006

Fernald Closure Project
Letter No. C:CPD:2006-0002

Mr. Johnny W. Reising, Director
U.S. Department of Energy
Ohio Field Office – Fernald Closure Project
175 Tri-County Parkway
Cincinnati, Ohio 45253-8705

Dear Mr. Reising:

CONTRACT DE-AC24-01OH20115, 2005 NOTICES OF VIOLATION – SEMIANNUAL STATUS REPORT

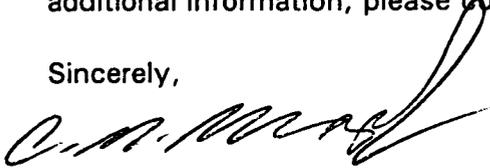
This letter constitutes the Semiannual Notice of Violation (NOV) Status Report, which is required by the Fernald Closure Contract. The purpose of the report is to list any new Notices of Violation received by Fluor Fernald, Inc. from the environmental regulatory agencies during the current calendar year, as well as the status of any remaining open corrective actions associated with NOV's prior to the calendar year. There was one NOV received during the second half of Calendar Year 2005.

1. The Fernald Closure Project (FCP) received a Notice of Violation issued by Ohio Environmental Protection Agency (Ohio EPA) on September 8, 2005 concerning two drums of uranyl nitrate hexahydrate (UNH). The Ohio EPA cited the FCP as being in violation of Order 9 of the June 1996 Director's Final Findings and Orders, Order 1 of the October 1995 Director's Final Findings and Orders, Ohio Administrative Code (OAC) 3745-52-34(A)(3), and OAC 3745-65-15 (i.e. improper storage of the containers, not conducting inspections of the containers while they were in storage, improper labeling of the containers, and missing the June 30, 2004 Site Treatment Plan (STP) milestone for completing treatment of these wastes).

However, because the waste had been treated by the time Ohio EPA had issued their letter, Ohio EPA's letter stated that "DOE has returned to compliance with all rules and Orders..." that were cited. Further, documentation of the treatment of these wastes was provided in the STP Annual Update submitted to DOE on December 8, 2005 (C:CPD:2005-0091) and transmitted to Ohio EPA via DOE Letter DOE-0043-06.

There are no outstanding issues from previous NOVs. If you have any questions or require additional information, please contact Frank Johnston at (513) 648-5294.

Sincerely,



Cornelius M. Murphy
Closure Project Director

CMM:FLJ:jmb

c: Christina Carr, DOE-OH/FCP
Frank L. Johnston, MS 99
Barry E. Kain, Contracting Officer, DOE/EMCBC
Dennis Sizemore, Fluor Fernald, Inc. Prime Contract, MS 1
Edward Skintik, DOE-OH
Administrative Record, MS 6
DOE Records Center
File Record Subject - Notice of Violation Status Report
Letter Log Copy, MS1