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006242

September 27, 2006

FLUOR

Fernald Closure Project
Letter No. C:BSOP(CA/PC):2006-0057

Mr. Timothy L. Jones, Contracting Officer
U. S. Department of Energy
EM Consolidated Business Center
250 East Fifth Street, Suite 500
Cincinnati, Ohio 45202

Dear Mr. Jones:

**CONTRACT DE-AC24-01OH20115, FCP/COMPREHENSIVE EXIT/TRANSITION PLAN,
REVISION 3A (FINAL)**

- References:
- 1) DOE Letter No. EMCBC-00783-06, T. Jones to D. Sizemore, "FCP/Comprehensive Exit/Transition Plan, Revision 3 (Final)," dated August 8, 2006
 - 2) Fluor Fernald Letter C:BSOP(CA/PC):2006-0043, D. Sizemore to T. Jones, "FCP/Comprehensive Exit/Transition Plan, Revision 3 (Final)," dated June 23, 2006
 - 3) Fluor Fernald Letter No. C:BSOP(CA/PC):2006-0010, D. Sizemore to T. Jones, "FCP/Comprehensive Exit/Transition Plan, Revision 3 (Final)," dated February 17, 2006
 - 4) DOE Letter No. EMCBC-0190-05, R. Holland to D. Sizemore, "Approval of Comprehensive Exit/Transition Plan, Revision 2," dated August 30, 2005
 - 5) Fluor Fernald Letter No. C:BSOP(CA/PC):2005-0041, D. Sizemore to R. Holland, "Comprehensive Exit/Transition Plan," dated August 11, 2005
 - 6) DOE Letter No. EMCBC-0120-05, R. Holland to D. Sizemore, "Conditional Approval of Comprehensive Exit/Transition Plan, Revision 2," dated July 14, 2005
 - 7) Fluor Fernald Letter No. C:BSOP(CA/PC):2005-0037, D. Sizemore to R. Holland, "FCP/Comprehensive Exit/Transition Plan, Revision 2," dated July 13, 2005
 - 8) Fluor Fernald Letter C:BSOP(CA/PC):2005-0028, D. Sizemore to R. Holland, "FCP/Comprehensive Exit/Transition Plan, Revision 1," dated May 2, 2005

- 9) Fluor Fernald Letter C:BSOP(CA/PC): 2004-0060, D. Sizemore to R. Holland, "FCP/Comprehensive Exit Transition Plan," dated September 20, 2004

The enclosed FCP/Comprehensive Exit/Transition Plan (CE/TP), Revision 3A (Final), is submitted for your approval pursuant to Section J, Attachment 3, General Management section of the subject contract. In order to facilitate your review, Fluor Fernald, Inc. (Fluor Fernald) is also providing one redline/strikeout copy of the CE/TP that identifies the changes that have been incorporated into Revision 3 A (Final). The electronic version of the redline/strikeout copy is available upon request. The CE/TP transmitted by the Reference 3 letter was never approved by the U.S. Department of Energy (DOE). The CE/TP transmitted by the Reference 2 letter was conditionally approved by DOE by the Reference 1 letter pending resolution of comments. Comments identified in the enclosure to the Reference 1 letter have been resolved and incorporated into the enclosed CE/TP, Revision 3A (Final), except item 2 in the "General Comment" section. Resolution of item 2 will be documented in the Contract Closeout Plan. Other changes to the CE/TP include:

1. Changed Section C.1.4 to make it consistent with the agreement that was made during a meeting on July 26, 2006 between representatives of Fluor Fernald and DOE wherein it was agreed that DOE would accept completed ROD documentation (includes Remedial Action Reports) after a quality assurance review.
2. Revised maps 2A-2G, Map 3, and Map 5.

Fluor Fernald does not anticipate that additional changes will be necessary to the CE/TP. However, as previously agreed, in the event changes are necessary, the changes will only be made with the approval of the DOE Contracting Officer and the Fluor Fernald Prime Contract Manager or their designees.

In accordance with Attachment 12 of the subject contract, Fluor Fernald considers the CE/TP to be "site closure documentation." Accordingly, Fluor Fernald requests your approval within 20 business days of receipt.

If you have any questions regarding this matter, please contact Tammy Terry at (513) 648-3870 or me at (513) 648-3358.

Sincerely,


Dennis Sizemore, Manager
Prime Contract

DS:jmb

Enclosure

Mr. Timothy L. Jones, Contracting Officer

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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 in 2006 according to DOE's configuration controlled closure baseline. 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 was 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, however, it does not modify, alter, or revise any contract term Fluor Fernald believes the CE/T Plan is subject to the review and approval requirements of contract, Section J, Attachment 12. Fluor Fernald will pursue a request for equitable adjustment for changed conditions as a result of any substantive revisions to this CE/T Plan.

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, "Declaration of Site Closure" 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 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 ten 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, and business functions). Section C.3.7 of the contract Statement of Work establishes the requirement for transfer readiness analysis of dimensions one through nine. The tenth dimension, Business Function, is contemplated in the DOE-LM Site Transition Framework. Internal DOE criteria between DOE EM and LM are beyond the scope 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 its 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. The CE/T Plan will only identify the activities that will continue in contract closeout, however, a more detailed Contract Closeout Plan will be developed in accordance with reporting requirements in Attachment 3 of the contract to identify the specific scope, schedule, and budget associated with the activities.

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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 six months prior to the anticipated Declaration of Physical Completion..

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 key terms that must be defined as used throughout this CE/T Plan.

The first term 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 Plan in place of long-term stewardship (except when quoting directly from the contract). The use of the term legacy management in the CE/T Plan refers to the phase of the FCP after physical completion and not to the DOE Office of Legacy Management.

Clause F.6 of the contract makes reference to the process of contractor declarations and DOE review/acceptance of the declarations relative to physical completion. Terminology associated with the F.6 process that are used throughout the CE/T Plan are defined as follows:

- (1) **Preliminary Declarations of Work Completion** = Fluor Fernald submission of preliminary declarations as work is completed and prior to the Declaration of Physical Completion for the entire site to minimize the number of potential punch list items identified during the Declaration of Physical Completion Acceptance Period.
- (2) **Preliminary Declarations of Work Completion Review Period** = a target date of thirty calendar days following submission of Fluor Fernald's Preliminary Declarations of Work Completion to be used for DOE's generation of a punchlist of material deficiencies. The cost of the items identified for correction from DOE review of Preliminary Declarations of Work Completion and corrected prior to the Fixed Physical Completion Date (defined below) are considered allowable costs and will be considered in the cost incentive fee calculation. Preliminary Declarations will not be construed as final by DOE. Final reviews of previously reviewed Preliminary Declarations will focus on completion of punch list items and identification of any conditions that have changed since the initial review consistent with previously used acceptance criteria. Any changed acceptance criteria from the initial review must be approved by the DOE CO and the Fluor Fernald Prime Contract Manager.
- (3) **Declaration of Physical Completion** = the Fluor Fernald letter declaring the date that the FCP has been physically completed.
- (4) **Reasonableness Review Period** = the period of up to fourteen business days for DOE review following submission of Fluor Fernald's Declaration of Physical Completion. If DOE determines the Declaration of Physical Completion to be reasonable, then the physical completion date is fixed (as defined in Fixed Physical Completion Date below). If DOE determines the Declaration of Physical Completion to be unreasonable, then the physical completion date is not fixed (i.e., the clock continues until a new letter declaring physical completion is submitted by Fluor Fernald and determined by DOE to be reasonable).
- (5) **Determination of Reasonableness** = the determination by DOE that the Declaration of Physical Completion is reasonable. At this determination the Physical Completion Date specified in the Declaration of Physical Completion is fixed.
- (6) **Fixed Physical Completion Date** (for fee calculation purposes) = the date identified by FFI in its Declaration of Physical Completion letter AND determined by DOE to be reasonable. If a prior reasonableness review period(s) did not result in a DOE determination of reasonable, the Fixed Physical Completion Date will exclude the time taken for DOE's Reasonable Review Period(s). In other words, the calculation of Fluor Fernald's cost and schedule incentive fee will not be negatively affected by the DOE review time.
- (7) **Declaration of Physical Completion Acceptance Period** = the period of up to sixty calendar days following completion of the Reasonableness Review Period to be used for DOE's generation of a punchlist of material deficiencies or acceptance of the project as complete. Costs incurred for the correction of punch list items after the Fixed Physical Completion Date are unallowable. Items identified for correction from DOE review of Preliminary Declarations of Work Completion and corrected prior to the Fixed Physical Completion Date (defined above) will not be considered punch list items or unallowable costs (but the cost of correcting these items will be considered for purposes of calculation of Fluor Fernald's cost incentive fee.).
- (8) **Final Declaration Letter** = Fluor Fernald letter declaring completion of punch list material deficiencies or acknowledging DOE's determination that there are no material deficiencies.

This letter is also the Final Declaration of Site Closure required by the contract, including clauses: B.8.f., C.1.2, and F.6.

- (9) **Final Declaration Letter Acceptance Period** = the period of up to thirty calendar days following Fluor Fernald's submission of the Final Declaration Letter, used for DOE to accept the project as complete or identify incomplete punch list items.
- (10) **Final Declaration Acceptance Letter** = DOE letter accepting Fluor Fernald's Final Declaration Letter. This letter serves as the acceptance required by contract clause B.8.f.
- (11) **Declaration of Completion of Equipment Demobilization** = Fluor Fernald letter declaring completion of CE/T Plan negotiated property (contaminated and uncontaminated) disposition activities occurring beyond the Fixed Physical Completion Date.
- (12) **Declaration of Completion of Equipment Demobilization Acceptance Period** = The period of up to fourteen business days for DOE review following submission of Fluor Fernald's Declaration of Completion of Equipment Demobilization. Disposition of property (both contaminated and uncontaminated) that is not being used by Fluor Fernald during contract closeout activities or by LM for ongoing operations will be completed within ninety days of the Fixed Physical Completion Date. Contaminated equipment will be removed from the Fernald site prior to the Declaration of Physical Completion. For this purpose disposition of property means moving the property off site and creating a clear disposition arrangement including identification of a person/place to receive and an accepted agreement. All costs incurred for contaminated and non-contaminated equipment disposition more than 90 days after DPC will be unallowable unless Fluor Fernald obtains specific permission from the DOE CO. Costs incurred for disposition of equipment required for use during the contract closeout period or designated for transfer to LM are not covered by this restriction. The cost of contaminated equipment demobilization activities completed within ninety days of the Fixed Physical Completion Date will be cost reimbursable and will be considered in the cost incentive fee calculation. The cost of uncontaminated equipment demobilization completed within ninety days of the Fixed Physical Completion Date will be cost reimbursable and will be considered part of contract closeout costs. The cost of contaminated or uncontaminated equipment demobilization that occurs beyond the ninety days of the Fixed Physical Completion Date will not be cost reimbursable.

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

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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, and business functions. 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, recognizing that the CE/T Plan does not modify, alter, or revise any contract term. 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 ten 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 of Physical Completion, related to the third bullet in Section C.1.2 of the contract, will be primarily based on completion of the activities identified in the RAMs.

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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 Site Transition Matrix is in development and will identify the what, how, whom, and when for all the specific activities within each of the ten readiness dimensions that require a transition/transfer to legacy management. The Site Transition Matrix 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. As an iterative process, the maintenance and updating of the Site Transition Matrix 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 Site Transition Matrix provides the details, including schedule, to get there. The Site Transition Matrix is an implementation document that will assist DOE and Fluor Fernald in achieving the desired state of readiness. Line items in the Site Transition Matrix that are or affect Fluor responsibilities require approval of DOE CO and the Fluor Fernald Prime Contract Manager or their designees for significant changes. Changes to schedule dates in the Site Transition Matrix of less than 60 days can be made by agreement between the Fluor Fernald and DOE subject matter experts.

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 of Physical Completion in accordance with Clause F.6. 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 transition of operational responsibilities to legacy management occurs upon Determination of Reasonableness. Once determined, Fluor Fernald will only be responsible for rectifying the punch list of material deficiencies and any remaining activities identified in the Site Transition Matrix. 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 Fixed 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,

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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 Fixed 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 Fixed 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 and again in May 2005 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 will be pursued as an 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 and again in April 2005. Final document 20013-PL-0001, Rev. 1, submitted June 2006) 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 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 the Declaration of Physical Completion 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 July 1, 2005. Once approved, the CE/T Plan does not modify, alter, or revise any contract term but helps serve as a 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.

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SECTION A.1 – AUTHORITY AND ACCOUNTABILITY

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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 upon the Determination of Reasonableness (Institutional Controls are discussed in Section A.6 of the CE/T Plan). Fluor Fernald is responsible for closure of legal agreements up to the Declaration of Physical Completion. Fluor Fernald will provide good faith assistance to DOE in the closure of legal agreements after the Declaration of Physical Completion, reference Table A.1.1.

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

Activity	Responsibility	Comments
<p>Preparation of the Comprehensive Legacy Management & Institutional Control Plan (LMICP) including the following support plans. Attachments to this plan include:</p> <ul style="list-style-type: none"> • OSDF Post Closure Care and Inspection Plan • Groundwater/Leak Detection and Leachate Monitoring Plan • Operations and Maintenance Master Plan for the Aquifer Restoration and Wastewater Project • Integrated Environmental Monitoring Plan (IEMP) 	<p>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.</p>	<p>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.</p> <p>The LMICP was updated and resubmitted on June 30, 2006. Any necessary revisions to the LMICP will be addressed in the January 2007 revision.</p> <p>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 upon establishment of the Fixed Physical Completion Date.</p>
<p>Continuance of the OU5 ROD</p>	<p>DOE</p>	<p>Because the remedies under the OU5 ROD will not be complete, the requirements under the OU5 ROD will remain in effect.</p>
<p>The continuation of wastewater/storm water/groundwater discharges under National Pollutant Discharge Elimination System (NPDES) Permit; 11O00004*GD. (The current permit remains in effect until June 30, 2008; a renewal application is due 180 days prior to expiration)</p>	<p>Fluor Fernald/DOE</p>	<p>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</p>
<p>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)</p>	<p>DOE</p>	<p>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.</p>
<p>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).</p>	<p>DOE/Fluor Fernald</p>	<p>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 complete. 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)</p>

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Activity	Responsibility	Comments
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. A final Land Status Map, index of files, and the active real property files will be delivered to DOE by the Declaration of Physical Completion.

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

Agreement Title and Date	Parties Involved	Termination Clause	Status Relative to Declaration of Physical Completion
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. <i>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.</i>	Cannot be closed prior to physical completion. Perhaps can be closed by DOE with the EPA post closure 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.	To 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 becoming 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.) 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 EPA post closure agreement to be negotiated
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 but yet to be verified by DOE

Agreement Title and Date	Parties Involved	Termination Clause	Status Relative to Declaration of Physical Completion
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 but yet to be verified by DOE
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 but yet to be verified by DOE
Consent Agreement - April 1990 (Amended 1986 FFCA provisions relating to completion of RI/FS and remedial action.)	USDOE and USEPA	<p>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."</p> <p><i>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.</i></p> <p><i>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.</i></p>	Cannot be closed prior to physical completion. Would remain open until all remedial activities have been completed (groundwater). The Final and Interim Remedial Action Report (RAR) strategy will be used to close.
Amended Consent Agreement - September 1991 (Amended 1990 Consent Agreement)	USDOE and USEPA	<p>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."</p> <p><i>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.</i></p> <p><i>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.</i></p> <p><i>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.</i></p>	Cannot be closed prior to physical completion. Would remain open until all remedial activities have been completed (groundwater). The Final and Interim Remedial Action Report (RAR) strategy will be used to close.

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) <i>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.</i> " <i>The referenced sections limit Rn-222 emissions are no greater than 20 pCi/m²-s as an average for the entire radon emitting source (e.g. waste pit, silo, etc.).</i>	Could be closed by DOE shortly after physical completion. Triggered by the completion of the silos remediation and US EPA'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.
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. The Final and Interim Remedial Action Report (RAR) strategy will be used by DOE to close. 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 (SEP), 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) by Fluor but yet to be verified by DOE
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 but yet to be verified by DOE.
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 but yet to be verified by DOE.

Agreement Title and Date	Parties Involved	Termination Clause	Status Relative to Declaration of Physical Completion
OEPA Directors Findings and Orders: Site Treatment Plan – October 1995	USDOE and OEPA	<p>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.</p> <p><i>Newly generated remediation mixed wastes not similar to composition to legacy mixed wastes may need special handling/treatment.</i></p>	<p>The STP annual update submitted in December 2005 (DOE Letter DOE-0043-06) included a certification that all milestones associated with the STP were completed, all obligations under the STP had been performed, and all mixed waste was being stored in compliance with the Ohio Administrative Code. Based on these facts, DOE requested termination of the DF&O. Ohio EPA has yet to respond to this request. In any event, DOE will have to address continuing waste generation practices and demonstrate compliance with applicable regulations for those wastes.</p>
OEPA Directors Findings and Orders: RCRA/CERCLA Integration – June 1996	USDOE, FERMCO and OEPA	<p>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. <i>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)</i></p> <p><i>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)</i></p>	<p>Can be closed by DOE shortly after physical completion with EPA's approval of the last soil certification report and/or approval of the final remedial action reports. The Final and Interim Remedial Action Report (RAR) strategy will be used to close.</p> <p>Target three months after DPC.</p>
Agreement to Amend the ACA – June 1996	USDOE and USEPA	<p>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.</p>	<p>ACA should be appropriately amended with this document. However, the document does not change the ACA closure status.</p>
OU4 Dispute Resolution under the ACA – July 1997	USDOE and USEPA	<p>No specific termination clause. Demonstration that the terms of the resolution are met.</p>	<p>Assumed closed but yet to be verified by DOE.</p>

Agreement Title and Date	Parties Involved	Termination Clause	Status Relative to Declaration of Physical Completion
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) <i>GW monitoring implemented through IEMP. IEMP remains in effect throughout duration of remedial activities as determined by OEPA.</i>	Can be closed by DOE shortly after physical completion with the approval of the last soils certification area and the approval of the OU3 Final Remedial Action Report and OU5 Interim Remedial Action Report Target six month after DPC.

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 the Declaration of 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 the Declaration of 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 the Declaration of 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 and no mixed waste inventory will remain at the Declaration of Physical Completion of the FCP. The FCP should be able to meet the Small Quantity Generator status or 90-day storage limitation.
NPDES Permit 11O00004*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, which will include special sampling, 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

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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
<p>The Final Remedial Action Reports for Operable Units 1, 2, 3, and the Interim Remedial Action Report(s) for OU4 and OU5 are prepared.</p>	<p>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 of Physical Completion of the FCP.</p> <p>DOE-EM – Review/Approve consistent with Attachment 12 of the Closure Contract.</p>	<p>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)</p>
<p>Identification of all primary documents that describe the historical uses of the site and the historical areas of contamination.</p>	<p>Fluor Fernald has identified these documents in Table A.2-1. These will be located in the CERCLA reading room.</p>	<p>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.</p>
<p>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)</p>	<p>Fluor Fernald – Already submitted to DOE. Restored Area Monitoring Reports are submitted to DOE to share with EPAs for information purposes only.</p> <p>DOE – No new action required. Contract already recognizes January 2002 Plan.</p>	<p>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 beyond the control of FFI 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.</p>

Activity	Responsibility	Comments
<p>FCP Post Closure Map No. 1, Monitoring Wells, indicating the location of all required groundwater monitoring wells</p>	<p>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 six months prior to DPC.</p>	<p>Map will be finalized when all monitoring wells needed to monitor groundwater remedy and eventual groundwater certification is determined. This map will be submitted prior to the Declaration of Physical Completion. Any finalization of punch list items associated with these maps will be subject to the provisions of Clause F.6 of the contract.</p>
<p>FCP Post Closure Map No. 2 (A- G) – Utilities Infrastructure. These series of maps depict each of the individual utilities left on site and an indication of whether they are active or inactive. Underground pipelines associated with groundwater remediation and OSDf leachate are also shown.</p>	<p>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 six months prior to DPC.</p>	<p>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 prior to the Declaration of Physical Completion. Any finalization of punch list items associated with these maps will be subject to the provisions of Clause F.6 of the contract.</p>
<p>FCP Post Closure Map No. 3, Miscellaneous Site Features will identify the legacy management infrastructure.</p>	<p>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 six months prior to DPC.</p>	<p>Map will be finalized when DOE decides what facilities are needed. This map will be submitted prior to the Declaration of Physical Completion Any finalization of punch list items associated with these maps will be subject to the provisions of Clause F.6 of the contract.</p>
<p>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.</p>	<p>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 six months prior to DPC.</p>	<p>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 prior to the Declaration of Physical Completion. Any finalization of punch list items associated with these maps will be subject to the provisions of Clause F.6 of the contract.</p>

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Activity	Responsibility	Comments
FCP Post Closure Map No. 5 will identify the areas used for D&D, soil remediation, and natural resources preliminary declaration of work completion.	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 six months prior to DPC.	This map will be submitted prior to the Declaration of Physical Completion. 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	Fluor Fernald - 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
Completion of an Interim Residual Risk Assessment	Fluor Fernald - Within 90 days after the Declaration of Physical Completion Fluor Fernald will complete an interim residual risk analysis for the work completed. Costs will be included as part of Contract Closeout activities.	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.
Develop Comprehensive Legacy Management & Institutional Controls plan for FCP	<p>Fluor Fernald – Submit the plan for DOE acceptance (Document 20013-PL-0001, latest revision submitted April 2005</p> <p>DOE CO – Review/Approve consistent with Attachment 12 of the Closure Contract.</p>	The LMICP was updated and resubmitted on April 15, 2005 after resolving regulatory comments on the July 2004 version of the LMICP. The April 15, 2005 submittal satisfied contractual requirements for the submittal 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 report was submitted June 30, 2006. This June 2006 submittal will be considered the final version for project completion purposes.

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 was not defined as an Attachment 3 deliverable in the current contract, an appropriate mechanism will need to incorporate) This interim residual risk analysis will serve to demonstrate substantial and continuous progress for OU-5, and 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 **006242**
 "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, May 9, 2006
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, June 28, 2006
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, October 15, 2006 projection
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 Interim Remedial Action Report, June 23, 2006
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
Operable Unit 5 Interim Remedial Action Report(s), OSDF; Soils; Aquifer Restoration –October 10, 2006 projection

SECTION A.3 – ENGINEERED CONTROLS

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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 (OSDF 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 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 from 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.
Required keys to facilities will be made available to DOE or their contractor at DOE’s direction	Fluor Fernald will provide 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. 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. 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. The Operations and Maintenance Master Plan is an attachment to the LMICP.
As-Built drawings of the CAWWT Facility are available	Fluor Fernald will make available these drawings by Declaration of Physical Completion	
Currently generated process control data and environmental data will be made available to demonstrate acceptable performance	Fluor Fernald will make available these data	
As-Built drawings of the OSDF are available including as-built drawings of the leachate conveyance and transmission systems	Fluor Fernald will make available these drawings within 60 days of Declaration of Physical Completion	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	The calculations are included in the groundwater leak detection and monitoring plan, which is an attachment to the LMICP.
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 evaluated and maintained by DOE or the local township(s), as appropriate for the remaining hazard(s).

SECTION A.4 – FINANCIAL AND HUMAN RESOURCES

“Financial and Human Resources” is the 4th of the ten 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 of Physical Completion?
- 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 Fixed Physical Completion Date 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 established Fixed Physical Completion Date. 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 Determination of Reasonableness, 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 to evaluate based on information provided by Fluor Fernald	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 to identify based on experience	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 to provide cost estimate	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 to identify based on assumptions relative to the modeled pace of groundwater remediation	Included in the Table Legacy Management – Cost Estimate Summary attached to this section. 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 has developed DOE has accepted the FY2006 IPABS plan and budget for these scope items	Addressed in Section B.2 of this plan, under PBS-13 and PBS-14.

Activity	Responsibility	Comments
<p>Identify the existing outside contracts that would be advantageous to DOE to continue with to support ongoing/routine legacy management operations.</p>	<p>Fluor Fernald to develop list and recommendations for DOE use</p>	<p>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).</p> <p>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.</p> <p>DOE will determine the appropriate path forward on the Fluor Fernald service contracts by June 30, 2005 required to support ongoing legacy management operations.</p>

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

(Estimate is subject to change as transition/transfer planning progresses changes to the estimate are not included in the Final CE/TP submittal)

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 ten 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 Fixed Physical Completion Date 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 Fixed Physical Completion Date 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 Determination of Reasonableness, 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 Site Transition Matrix for Information Management, included in the appendix, identifies the current Information Management systems that will be transferred in support of the readiness analysis preparations.

Responsibility Assignment Matrix (RAM) for Information Management Readiness Analysis

Activity	Responsibility	Comments
<p>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.</p>	<p>Fluor Fernald – prepare. DOE – review and accept.</p>	<p>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 Site Transition Matrix)</p>
<p>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.</p>	<p>Fluor Fernald – technical support. DOE – Secure qualified personnel 1 month prior to DPC to facilitate transition.</p>	<p>Training support will be provided consistent with the understanding provided in the Introduction to Section A of this CE/T Plan.</p>
<p>“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.</p>	<p>Fluor Fernald</p>	<p>Included as part of records management/formal archiving; will continue as part of Contract Closeout phase.</p>

SECTION A.6 – INSTITUTIONAL CONTROLS

“Institutional Controls” is the 6th of the ten 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 until the Determination of Reasonableness. After the Determination of Reasonableness, 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 – Submit the plan for DOE acceptance (Document 20013-PL-0001, latest revision submitted June 30, 2006). DOE CO – Review/Approve consistent with Attachment 12 of the Closure Contract.	The LMICP was updated and resubmitted on June 30, 2006. This June 2006 submittal will be considered the final version for project completion purposes.
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, i.e., 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 (as site owner)	Necessary to gain DOE acceptance that all required institutional controls are in place. DOE acceptance will be a condition of readiness.

SECTION A.10 – BUSINESS FUNCTION

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The “Business Function” is the 10th and final of the dimensional elements addressed in the CE/T Plan.

Business Function is not one of the dimensional elements identified by DOE for the legacy management transfer readiness analysis, as described in Section C.3.7 of the contract. However, Business Function is contemplated by DOE-LM in their Site Transition Framework. Clause F.7 requires a Contract Closeout Plan, including budget and schedule for activities described therein, to be submitted as a separate formal deliverable. Accordingly, Fluor Fernald and DOE have agreed that the Contract Closeout Plan is the more appropriate mechanism (in lieu of the CE/T Plan) to address and provide details of the Business Function dimensional element. The contract requires the Contract Closeout Plan be submitted concurrently with Fluor Fernald’s Declaration of Physical Completion letter. Fluor Fernald and DOE have agreed to submit this Contract Closeout Plan early, with a target submission date of six months prior to the Declaration of Physical Completion.

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 six months prior to the Declaration of Physical Completion.	

SECTION A.7 – REGULATORY REQUIREMENTS

“Regulatory Requirements” is the 7th of the ten 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	<p>Fluor Fernald to prepare the Comprehensive Legacy Management & Institutional Controls Plan.</p> <p>DOE to accept the plan.</p>	<p>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.</p> <p>The LMICP has been updated and resubmitted on June 30, 2006 after resolving regulatory comments from the January 25, 2006 version of the LMICP. The June 30, 2006 submittal satisfies contractual requirements for DOE acceptance of the LMICP with the understanding that it will need to be revised to accommodate any changes that occur.</p>
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)	<p>Fluor Fernald responsible for preparation.</p> <p>DOE responsible for timely review and acceptance of FFI's product, submittal to the EPAs and revisions required as a result of EPA review comments for all draft documents as of the Fixed Physical Completion Date</p>	<p>The individual reports and process by which they are submitted to DOE are further defined in Section C of the CE/T Plan.</p>
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.	<p>DOE is to provide an appropriate facility in a timely manner.</p> <p>Fluor Fernald will transfer required documents to the location identified by DOE.</p>	<p>CERCLA reading room is assumed to be located off-site. Fluor Fernald requests the locations be made available by June 2005.</p>

Activity	Responsibility	Comments
<p>The next CERCLA required five-year review will be prepared for DOE issuance to USEPA and OEPA by April 1, 2006.</p>	<p>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.</p> <p>DOE responsible for timely review and acceptance of FFI's product, submittal to the EPAs and revisions required as a result of EPA review comments.</p>	<p>Fluor Fernald preparation of the document is included in the scope of the contract and will be considered in the cost incentive fee calculation. Agency review and approval of this document is beyond the scope of the contract. Fluor Fernald submitted a draft document to DOE January 20, 2006. Final document was submitted to DOE August 2006.</p>
<p>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.</p>	<p>Fluor Fernald will identify and comply with the applicable environmental programs and regulations up to the Determination of Reasonableness.</p> <p>DOE or its legacy management contractor will assume responsibility upon the Determination of Reasonableness.</p>	<p>The regulatory programs governing site operations are identified in Table A.7-1. Fluor Fernald has identified these regulatory programs based upon corresponding requirements to the end state. 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.</p>

Table A.7-1 – Regulatory Programs Required After Fixed Physical Completion Date

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	
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.

Current Program	Driver	Current Activities	Specific Threshold below which Program Ends	Continuing DOE Obligations If Regulatory Program Continues
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 11000004*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 general permits for specific necessary construction activities. 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. Fluor Fernald's will provide report by March 1, 2006 and all subsequent reports are the responsibility of DOE.
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 1 st)	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.

SECTION A.8 – PUBLIC OUTREACH

“Public Outreach” is the 8th of the ten 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. Upon Determination of Reasonableness DOE (and its legacy management contractor) will be responsible for continued operation of the CERCLA Public Reading Room, 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 DOE – Approve	The lists and updating process will be a separate deliverable for DOE review and approval before the Declaration of Physical Completion.
Final update to the administrative record prior to Fluor Fernald’s declaration that the FCP has been physically completed.	Fluor Fernald	This will occur before the Declaration of Physical Completion
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 before the Declaration of Physical Completion.
Placement of the PEIC into its final configuration for transfer to legacy management.	Fluor Fernald – prepare PEIC for transfer to legacy management. 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. The discussions will occur before the Declaration of Physical Completion. Depending on the configuration that DOE chooses for the PEIC, the placement of the PEIC into its final configuration may happen after the Declaration of Physical Completion as a reimbursable contract closeout cost.

SECTION A.9 – NATURAL/CULTURAL/HISTORICAL RESOURCES

“Natural/Cultural/Historical Resources” is the 9th of the ten 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 until the Determination of Reasonableness (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 annual report covering June 2005 to June 2006 was filed in May 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 Declaration of Physical Completion of the FCP.

Upon the Determination of Reasonableness, 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 dispositioning 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 Paddy’s Run. In the same portion of Paddy’s Run, a well-established population of the state threatened

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Sloan's Crayfish resides. This portion of Paddy's Run will continue to need protection 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. 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 of Physical Completion for the FCP.
Performance of natural resource maintenance and monitoring activities in restored areas through the Determination of Reasonableness (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 be issued prior to the Declaration of Physical Completion, (submitted to EPA for informational purposes). Upon the Determination of Reasonableness, all remaining maintenance and monitoring activities in restored areas will be the responsibility of DOE-legacy management contractor. 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 June 2005 to June 2006 was filed prior to the Declaration of Physical Completion.
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 prior to the Declaration of Physical Completion.
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 has decided to take possession of the Cold War Artifacts which will need to be transferred to a new location prior to physical completion of the FCP. All historic and prehistoric artifacts resulting from cultural resource surveys at the Fernald Site are currently in storage. DOE will be consulted regarding the final archive location prior to the transfer of the artifacts. Transfer will be complete prior to the Declaration of Physical Completion.

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Activity	Responsibility	Comments
Long term protection of cultural resources onsite (e.g., native American interment site) and sensitive natural resources.	DOE - long term protection of resources	Long-term protection of cultural resources onsite will be the responsibility of DOE upon the Determination of Reasonableness.

SECTION B – CONTRACT COMPLIANCE MATRIX

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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 Physical Completion 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 upon the Determination of Reasonableness.

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 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

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during contract closeout. 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 six months prior to the Declaration of Physical Completion. 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.

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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

MATRIX TABLE B.1-1	
Contract DE-AC24-01OH20115 – Section C Work Scope Definition:	
C.1.2	<p>End State</p> <p>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).</p>
<p>Definition of completion:</p> <p>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)</p> <p>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)</p> <p>Operable Unit 3: Completion of PBS-01, PBS-02, PBS-10, and PBS-11</p> <p>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)</p> <p>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.</p>	
<p>Documents used to demonstrate completion:</p> <p>Documentation of the completion of the above PBS activities is provided in the subsequent sections of this matrix.</p> <p>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.</p>	
<p>Activities transferred to the legacy management phase:</p> <ul style="list-style-type: none"> • 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) • Long-term monitoring and maintenance of the OSDF as referenced in the OU3 and OU5 RODs (discussed in the LMICP) • Operation of the groundwater remedy and associated treatment facility (discussed in the LMICP) • Operation of the OSDF leachate management system and associated treatment (discussed in the LMICP) 	
<p>Activities Continuing During Contract Closeout Phase:</p> <p>None.</p>	

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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

MATRIX TABLE B.1-2

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

C.1.2 End State

Restoration of the site in accordance with the January 2002 Draft of the Natural Resources Restoration Plan (NRRP).

Definition of completion:

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

- Completion reports for the individual restoration projects 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 of Physical Completion. (Projects are identified in the attached table).
- Restored Area Monitoring Report for 2004
- Restored Area Monitoring Report for 2005

Activities transferred to the legacy management phase:

- Follow-up monitoring in wetland mitigation projects to close out Clean Water Act requirements for mitigated wetlands on the FCP.
- Any monitoring and maintenance requirements in restored areas that are required by the NRDA Settlement.
- 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.
- Control of noxious weeds in restored areas will be required as required by Ohio law.
- Routine inspection of restored areas to ensure that no trespassing or improper use of the site is occurring.
- Any additional work as a result of the NRDA settlement

Activities Continuing During Contract Closeout Phase:

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 Completion Dates
Aesthetic Barrier	October 1998
Wetland Mitigation Phase I	March 2000
Forest Demonstration	February 2001
Southern Waste Units	prior to DPC
Northern Pines	April 2005
Wetland Mitigation Phase II	August 2005
Paddy's Run West	February 2006
Borrow Area	prior to DPC
Paddy's Run East	December 2005
Production Area	prior to DPC
Waste Pits	prior to DPC
Silos	prior to DPC
OSDF Perimeter	prior to DPC

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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

MATRIX TABLE B.1-3	
Contract DE-AC24-01OH20115 – Section C Work Scope Definition:	
C.1.2	<p>End State</p> <p>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.</p>
Definition of completion:	
<ul style="list-style-type: none"> • DOE acceptance of the Comprehensive Legacy Management & Institutional Controls Plan (LMICP) • Installation of the required legacy management infrastructure as described in the LMICP 	
Documents used to demonstrate completion	
<ul style="list-style-type: none"> • Comprehensive Legacy Management & Institutional Controls Plan • As-built drawings of infrastructure as depicted in the LMICP • FCP Comprehensive Exit/Transition Plan 	
Activities transferred to the legacy management phase:	
<ul style="list-style-type: none"> • Maintaining institutional controls established for the site. • Monitoring and reporting of environmental data per IEMP commitments • Completing Aquifer Remediation and groundwater certification requirements. • Continuing required groundwater monitoring program. • Monitoring and managing leachate from the OSDF. • Completing required surveillance and maintenance of the OSDF. • Handling information requests related to legacy management and past site operations. • Maintaining points of contact for Stakeholders and Regulators. • Reporting requirements to Stakeholders and Regulators. 	
Activities Continuing During Contract Closeout Phase:	
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

MATRIX TABLE B.1-4
<p>Contract DE-AC24-01OH20115 – Section C Work Scope Definition:</p> <p>C.1.2 End State</p> <p>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.</p>
<p>Definition of completion:</p> <p>Final/Interim Remedial Action Reports submitted with 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.</p>
<p>Documents used to demonstrate completion</p> <ul style="list-style-type: none"> • Operable Unit 1 Final Remedial Action Report • Operable Unit 2 Final Remedial Action Report • Operable Unit 3 Final Remedial Action Report • Operable Unit 4 Interim Remedial Action Report • Operable Unit 5 Interim Remedial Action Report (Consisting of three distinct sections: Soils Remediation, On-Site Disposal Facility, and Aquifer Restoration) <p>The Final and Interim Remedial Action Reports 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) would follow the same form, format, and content as previously submitted and approved. Fluor Fernald will support this effort until Determination of Reasonableness.</p>
<p>Activities transferred to the legacy management phase:</p> <p>Resolution of all comments outstanding as of the date of physical completion of the FCP.</p> <p>Final OU5 Remedial Action Report at the completion of the groundwater remedy</p>
<p>Activities Continuing During Contract Closeout Phase:</p> <p>None.</p>

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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

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 DOE
Operable Unit 1 Final Remedial Action Report	March 21, 2005	None	None	Submitted May 9, 2006
Operable Unit 2 Final Remedial Action Report	October 21, 2004	December 15, 2004	January 24, 2005	Submitted June 28, 2006
Operable Unit 3 Final Remedial Action Report	March 23, 2005	None – USEPA comments forwarded by e-mail on 8/15/2005	None	Triggered by completion of D&D of OU4 structures – Target 1 month prior to DPC
Operable Unit 4 Interim Remedial Action Report	No draft will be provided	NA	NA	Submitted June 23, 2006
Operable Unit 5 Interim Remedial Action Report, Section 1 - OSDF	January 31, 2005	February 1, 2006 - USEPA	None	Triggered by completion of Cell 8 Cap – Target 1 month prior to DPC
Operable Unit 5 Interim Remedial Action Report, Section 2 - Soils	March 14, 2005	No comments received as of 1/23/2006. DOE forwarded to USEPA for informal review on 11/10/2005 (DOE-0017-06)	None	Triggered by completion and submission of Area 7 Soil Certification Report – Target at DPC
Operable Unit 5 Interim Remedial Action Report, Section 3 – Aquifer Restoration OSDF	March 10, 2005	No comments received as of 1/23/2006. DOE forwarded to USEPA for informal review on 11/10/2005 (DOE-0017-06)	None	Triggered by completion of CAWWT Phase 2 construction and/or installation of Waste Pit Wells Phase II – Target 1 month prior to DPC

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:

C.2.2 Facility Shutdown (PBS-01) and Facility Decontamination and Demolition (PBS-02)

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.

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:

- Completion of activities described in Removal Action 12 – Safe Shutdown
- 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)
- Completion of activities described in Removal Action 9 – Removal of Waste Inventories
- Completion of activities described in Removal Action 26 – Asbestos Removal

Documents used to demonstrate completion:

- Removal Action Work Plan for Removal Action 12
- 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.
-
- Removal Action Work Plan for Removal Action 26
- Submission to and acceptance by DOE of the Operable Unit 3 Final Remedial Action Report.

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:

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:

Disposition of property (both contaminated and uncontaminated) that is not being used by Fluor Fernald during contract closeout activities or by LM for ongoing operations will be completed within ninety days of the Fixed Physical Completion Date. Contaminated equipment will be removed from the Fernald site prior to the Declaration of Physical Completion. For this purpose disposition of property means moving the property off site and creating a clear disposition arrangement including identification of a person/place to receive and an accepted agreement. All costs incurred for contaminated and non-contaminated equipment disposition more than 90 days after DPC will be unallowable unless Fluor Fernald obtains specific permission from the DOE CO. Costs incurred for disposition of equipment required for use during the contract closeout period or designated for transfer to LM are not covered by this restriction. The cost of contaminated equipment demobilization activities completed within ninety days of the Fixed Physical Completion Date will be cost reimbursable and will be considered in the cost incentive fee calculation. The cost of uncontaminated equipment demobilization completed within ninety days of the Fixed Physical Completion Date will be cost reimbursable and will be considered part of contract closeout costs. The cost of contaminated or uncontaminated equipment demobilization that occurs beyond the ninety days of the Fixed Physical Completion Date will not be cost reimbursable. 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 the Fixed Physical Completion Date 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 Plant 6 6/16/05 E. Warehouse
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	7/25/05
Laboratory Complex	4/18/02	7/26/02 USEPA	5/19/04
OU4 Complex – Silo 3	7/8/04	8/12/04 USEPA	7/25/06
OU4 Complex Components, Silo 2, Silo 1, and Silos 1&2 Bridges	3/21/05	4/28/05 USEPA	11/16/05
OU4 Complex Silos 1&2 Remediation Facility	9/29/2005	12/15/05 USEPA	8/16/06
OU1 Complex	7/1/04	1/6/05 USEPA	11/13/05
AWWT Facility	3/24/05	No response from USEPA 4/14/05 OEPA	9/26/05
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 (USEPA has approved amendments to the plan, 9/24/03 approved requested transfer of scope)	Target at DPC

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

MATRIX TABLE B.1-6

Section B.1: Contract Compliance Matrix

Statement of Work Elements Related to the Declaration that the FCP Has Been Physically Completed

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

C.2.3 PBS-03: On-Site Disposal Facility

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:

- Completion of construction of the OSDF in accordance with the approved CFC design package (and all approved DCN's)
- 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.
- Completion of construction of the final cover system including achieving final grade and completion of required seeding.
- Removal of all construction related support infrastructure (roads, trailers etc.)

Documents used to demonstrate completion

- 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
- Completed "OSDF Manifest for Bulk Soil and Debris (FS-F-5154)" located in the WAO Operating Record
- Submission to and acceptance by DOE of the OU5 Interim Remedial Action Report which will describe and demonstrate the OSDF as operating successfully

The Interim Remedial Action Report and project related documents will follow the same form, format, and content standard of documents previously submitted and approved. Fluor Fernald will support this effort up until the establishment of the Fixed Physical Completion Date.

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:

- 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.
- Leak detection monitoring activities as defined in the OSDF GWLMP

Activities Continuing During Contract Closeout Phase:

Disposition of property (both contaminated and uncontaminated) that is not being used by Fluor Fernald during contract closeout activities or by LM for ongoing operations will be completed within ninety days of the Fixed Physical Completion Date. Contaminated equipment will be removed from the Fernald site prior to the Declaration of Physical Completion. For this purpose disposition of property means moving the property off site and creating a clear disposition arrangement including identification of a person/place to receive and an accepted agreement. All costs incurred for contaminated and non-contaminated equipment disposition more than 90 days after DPC will be unallowable unless Fluor Fernald obtains specific permission from the DOE CO. Costs incurred for disposition of equipment required for use during the contract closeout period or designated for transfer to LM are not covered by this restriction. The cost of contaminated equipment demobilization activities completed within ninety days of the Fixed Physical Completion Date will be cost reimbursable and will be considered in the cost incentive fee calculation. The cost of uncontaminated equipment demobilization completed within ninety days of the Fixed Physical Completion Date will be cost reimbursable and will be considered part of contract closeout costs. The cost of contaminated or uncontaminated equipment demobilization that occurs beyond the ninety days of the Fixed Physical Completion Date will not be cost reimbursable. 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 the Fixed Physical Completion Date 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

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 (partial), and 8 (partial) final cover systems	April 2006
Future Final Report – Cell 7 (partial), 8 final cover system	Target at final completion of the OSDF and before DPC

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:

C.2.4 PBS-04: Aquifer Restoration

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 Bionitrification 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:

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:

- South Plume Module Recovery Wells: six active wells and one inactive well
- South Field Module: 13 active extraction wells, 3 inactive extraction wells, 2 inactive injection wells and one injection basin
- Waste Storage Area Phase I Module: three active extraction wells
- 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
- Property Boundary Re-injection Module: eight inactive injection wells
- Groundwater Monitoring Well network as identified on FCP Post-Closure Plan 1 (inactive wells abandoned are removed in accordance with existing practice).

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.

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.

Remaining groundwater infrastructure and leachate management facilities will be that as identified on FCP Post-Closure Plan 2.

Documents used to demonstrate completion:

- CFC drawings for all wells, pipelines, utilities, treatment facilities, OSDF valve houses
- PM system for operations developed and PM's up to date at the declaration that the FCP has been physically completed
- Operating procedures developed and available to DOE-LM contractor
- Manufacturers manuals for equipment and instruments available
- Latest revision of the Operation and Maintenance Master Plan (OM&MP)
- 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:

- Operation of groundwater extraction, groundwater treatment, and leachate management/treatment facilities in accordance with the approved LMICP and associated operational procedures.
- Compliance with NPDES Permit, and regulatory requirements identified in Section A of this CE/T Plan.
- 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)
- Transfer of the groundwater model used to predict remedy performance
- Waste management activities related to the disposition of treatment residuals, lab wastes, and non-contaminated solid wastes

Activities Continuing During Contract Closeout Phase:

While it is expected that all necessary training to accomplish these activities will occur prior to the FCP Declaration of Physical Completion, 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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Section B.1: Contract Compliance Matrix
Statement of Work Elements Related to the Declaration that the FCP Has Been Physically Completed

MATRIX TABLE B.1-8
<p>Contract DE-AC24-01OH20115 – Section C Work Scope Definition:</p> <p>C.2.4 PBS-04: Aquifer Restoration 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.</p> <p>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.</p> <p>Definition of completion:</p> <p>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.</p> <p>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.</p>
<p>Documents used to demonstrate completion</p> <ul style="list-style-type: none">• Latest approved revision of the IEMP
<p>Activities transferred to the legacy management phase:</p> <ul style="list-style-type: none">• Sampling, analysis, and reporting of environmental data in accordance with IEMP requirements
<p>Activities Continuing During Contract Closeout Phase:</p> <p>None.</p>

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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

MATRIX TABLE B.1-9
<p>Contract DE-AC24-01OH20115 – Section C Work Scope Definition:</p> <p>C.2.4 PBS-04: Aquifer Restoration 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.</p> <p>Definition of completion:</p> <p>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.</p>
<p>Documents used to demonstrate completion</p> <p>NA</p>
<p>Activities transferred to the legacy management phase:</p> <ul style="list-style-type: none"> • The management of sampling activities and schedules and associated laboratory contracts • Data entry, validation, and necessary QA/QC functions • Reporting of data as defined in the IEMP. • Maintenance of databases and web sites necessary to house and report environmental data
<p>Activities Continuing During Contract Closeout Phase:</p> <p>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.</p>

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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

MATRIX TABLE B.1-10	
Contract DE-AC24-01OH20115 – Section C Work Scope Definition:	
C.2.5	<p>PBS-05: Waste Pits Remedial Action Project</p> <p>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.</p>
<p>Definition of completion:</p> <ul style="list-style-type: none"> • Processing and disposition of waste pit materials and soils from the six waste pits and the Clearwell and Burn Pit. • D&D of the facilities used to excavate, dry, ship and support the disposition of waste pit materials • Certification of the underlying soils defined by Soil Certification Area 6 • Restoration of the waste pit area in accordance with the approved NRRP • Completed Certificates of Destruction may be submitted post DPC 	
<p>Documents used to demonstrate completion</p> <ul style="list-style-type: none"> • 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. • 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) • 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. • Completed "OSDF Manifest for Bulk Soil and Debris (FS-F-5154)" for debris, cap material, and soils acceptable for disposition in the OSDF • 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 • 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) • Submission to and acceptance by DOE of the Operable Unit 5 Interim 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) • 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) • SWIFTS printout indicating zero "ACTIVE" containers, all containers indicating "SHIPPED", with a production date prior to February 17, 2004. <p>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.</p>	
<p>Activities transferred to the legacy management phase:</p> <p style="padding-left: 40px;">No specific activity other than general care of the waste pit area in the context of overall care of the FCP site.</p>	
<p>Activities Continuing During Contract Closeout Phase:</p> <p>Disposition of property (both contaminated and uncontaminated) that is not being used by Fluor Fernald during contract closeout activities or by LM for ongoing operations will be completed within ninety days of the Fixed Physical Completion Date. Contaminated equipment will be removed from the Fernald site prior to the Declaration of Physical Completion. For this purpose disposition of property means moving the property off site and creating a clear disposition arrangement including identification of a person/place to receive and an accepted agreement. All costs incurred for contaminated and non-contaminated equipment disposition more than 90 days after DPC will be unallowable unless Fluor Fernald obtains specific permission from the DOE CO. Costs incurred for disposition of equipment required for use during the contract closeout period or designated for transfer to LM are not covered by this restriction. The cost of contaminated equipment demobilization activities completed within ninety days of the Fixed Physical Completion Date will be cost reimbursable and will be considered in the cost incentive fee calculation. The cost of uncontaminated equipment demobilization completed within ninety days of the Fixed Physical Completion Date will be cost reimbursable and will be considered part of contract closeout costs. The cost of contaminated or uncontaminated equipment demobilization that occurs beyond the ninety days of the Fixed Physical Completion Date will not be cost reimbursable. Fluor</p>	

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

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 the Fixed Physical Completion Date 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-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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Section B.1: Contract Compliance Matrix

Statement of Work Elements Related to the Declaration that the FCP Has Been Physically Completed

MATRIX TABLE B.1-11

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

C.2.6 PBS-06: Soils Project

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.

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.

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:

- 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

- Certification reports identified in the attached table
- Submission to and acceptance by DOE of the Operable Unit 5 Interim Remedial Action Report (Soils Remediation)

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). Fluor Fernald will support this effort up until establishment of the Fixed Physical Completion Date.

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:

- Certification of those soils areas that have not been certified due to the presence of the groundwater infrastructure
- Control of certified areas in accordance with the Comprehensive Legacy Management and Institutional Controls Plan

Activities Continuing During Contract Closeout Phase:

Disposition of property (both contaminated and uncontaminated) that is not being used by Fluor Fernald during contract closeout activities or by LM for ongoing operations will be completed within ninety days of the Fixed Physical Completion Date. Contaminated equipment will be removed from the Fernald site prior to the Declaration of Physical Completion. For this purpose disposition of property means moving the property off site and creating a clear disposition arrangement including identification of a person/place to receive and an accepted agreement. All costs incurred for contaminated and non-contaminated equipment disposition more than 90 days after DPC will be unallowable unless Fluor Fernald obtains specific permission from the DOE CO. Costs incurred for disposition of equipment required for use during the contract closeout period or designated for transfer to LM are not covered by this restriction. The cost of contaminated equipment demobilization activities completed within ninety days of the Fixed Physical Completion Date will be cost reimbursable and will be considered in the cost incentive fee calculation. The cost of uncontaminated equipment demobilization completed within ninety days of the Fixed Physical Completion Date will be cost reimbursable and will be considered part of contract closeout costs. The cost of contaminated or uncontaminated equipment demobilization that occurs beyond the ninety days of the Fixed Physical Completion Date will not be cost reimbursable. 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 the Fixed Physical Completion Date 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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Statement of Work Elements Related to the Declaration that the FCP Has Been Physically Completed

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 II (Subarea 3)	1/6/2006
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 4A	10/13/05
Area 4B- Part 1	1/5/2006
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
Area 9 Phase III Parts 1, 2, &3 (Off Property)	7/5/2005
Area Stream Corridors (SSOD)	12/5/2005
Area 6 Waste Pits 4, 5, 6	3/28/2006
Area 6 Waste Pits General Area East	7/31/2006

Section B.1: Contract Compliance Matrix

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Future Soil Certification Report Target Submission Dates to DOE	
Certification Area	Target Submission
Area 5 ADMIN-E/W-PL	prior to DPC
Area 5 Production Area – MDC 1 st Street – Area 4B- Part 2	prior to DPC
Area 6 Waste Pits 1, 2, 3, CW, BP	Submitted July 2006
Area 6 Waste Pits General Area West	prior to DPC
Area 6 Former Production Area & MDC North	Submitted August 2006
Area 6 SP-7	prior to DPC
Area 6 F – Railyard – Rail Lines	prior to DPC
Area 7 H, I, J	prior to DPC
Area 7 E and Clean	prior to DPC
Area 7 A and PR/PPDD	prior to DPC
Area 7 B and D	prior to DPC
Area 7 F and G	prior to DPC

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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

MATRIX TABLE B.1-12
<p>Contract DE-AC24-01OH20115 – Section C Work Scope Definition:</p> <p>C.2.6 PBS-06: Soils Project 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.</p>
<p>Definition of completion:</p> <p>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.</p>
<p>Documents used to demonstrate completion</p> <ul style="list-style-type: none"> • Completion reports for the individual restoration projects (projects are identified in the attached table). • Restored Area Monitoring Report for 2004 • Restored Area Monitoring Report for 2005 • Submission of and acceptance by DOE of the OU5 Interim Remedial Action Report (Soils) <p>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 until establishment of the Fixed Physical Completion Date.</p> <p>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.</p>
<p>Activities transferred to the legacy management phase:</p> <ul style="list-style-type: none"> • Follow-up monitoring in wetland mitigation projects to close out Clean Water Act requirements for mitigated wetlands on the FCP. • Any monitoring and maintenance requirements in restored areas that are required by the NRDA Settlement. • 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. • Control of noxious weeds in restored areas will be required as required by Ohio law. • Routine inspection of restored areas to ensure that no trespassing or improper use of the site is occurring. • Care of the site, including all necessary inspections, in accordance with the Comprehensive Legacy Management & Institutional Controls Plan
<p>Activities Continuing During Contract Closeout Phase:</p> <p>Disposition of property (both contaminated and uncontaminated) that is not being used by Fluor Fernald during contract closeout activities or by LM for ongoing operations will be completed within ninety days of the Fixed Physical Completion Date. Contaminated equipment will be removed from the Fernald site prior to the Declaration of Physical Completion. For this purpose disposition of property means moving the property off site and creating a clear disposition arrangement including identification of a person/place to receive and an accepted agreement. All costs incurred for contaminated and non-contaminated equipment disposition more than 90 days after DPC will be unallowable unless Fluor Fernald obtains specific permission from the DOE CO. Costs incurred for disposition of equipment required for use during the contract closeout period or designated for transfer to LM are not covered by this restriction. The cost of contaminated equipment demobilization activities, completed within ninety days of the Fixed Physical Completion Date will be cost reimbursable and will be considered in the cost incentive fee calculation. The cost of uncontaminated equipment demobilization completed within ninety days of the Fixed Physical Completion Date will be cost reimbursable and will be considered part of contract closeout costs. The cost of contaminated or uncontaminated equipment demobilization that occurs beyond the ninety days of the Fixed Physical Completion Date will not be cost reimbursable. 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 the Fixed Physical Completion Date 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.</p>

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

Project	Field Work Completed
Aesthetic Barrier	October 1998
Wetland Mitigation Phase I	March 2000
Forest Demonstration	February 2001
Southern Waste Units	prior to DPC
Northern Pines	April 2005
Wetland Mitigation Phase II	August 2005
Paddy's Run West	February 2006
Borrow Area	prior to DPC
Paddy's Run East	December 2005
Production Area	prior to DPC
Waste Pits	prior to DPC
Silos	prior to DPC
OSDF Perimeter	prior to DPC

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Statement of Work Elements Related to the Declaration that the FCP Has Been Physically Completed.

MATRIX TABLE B.1-13
<p>Contract DE-AC24-01OH20115 – Section C Work Scope Definition:</p> <p>C.2.6 PBS-06: Soils Project 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.</p>
<p>Definition of completion:</p> <ul style="list-style-type: none"> • DOE-FCP approval of the Comprehensive Legacy Management & Institutional Controls Plan (including support plans) • Installation of the required infrastructure as described in the LMIC P
<p>Documents used to demonstrate completion</p> <ul style="list-style-type: none"> • Comprehensive Legacy Management & Institutional Controls Plan (including support plans) • As Built drawings of infrastructure as depicted in the LMICP • FCP Comprehensive Exit/Transition Plan <p>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.</p>
<p>Activities transferred to the legacy management phase:</p> <ul style="list-style-type: none"> • Maintaining institutional controls established for the site. • Completing Aquifer Remediation and groundwater certification requirements. • Monitoring and reporting of environmental data per IEMP commitments. • Continuing required groundwater monitoring program. • Monitoring and managing leachate from the OSDF. • Completing required surveillance and maintenance of the OSDF. • Handling information requests related to legacy management and past site operations. • Maintaining points of contact for Stakeholders and Regulators. • Reporting requirements to Stakeholders and Regulators.
<p>Activities Continuing During Contract Closeout Phase:</p> <p>Disposition of property (both contaminated and uncontaminated) that is not being used by Fluor Fernald during contract closeout activities or by LM for ongoing operations will be completed within ninety days of the Fixed Physical Completion Date. Contaminated equipment will be removed from the Fernald site prior to the Declaration of Physical Completion. For this purpose disposition of property means moving the property off site and creating a clear disposition arrangement including identification of a person/place to receive and an accepted agreement. All costs incurred for contaminated and non-contaminated equipment disposition more than 90 days after DPC will be unallowable unless Fluor Fernald obtains specific permission from the DOE CO. Costs incurred for disposition of equipment required for use during the contract closeout period or designated for transfer to LM are not covered by this restriction. The cost of contaminated equipment demobilization activities completed within ninety days of the Fixed Physical Completion Date will be cost reimbursable and will be considered in the cost incentive fee calculation. The cost of uncontaminated equipment demobilization completed within ninety days of the Fixed Physical Completion Date will be cost reimbursable and will be considered part of contract closeout costs. The cost of contaminated or uncontaminated equipment demobilization that occurs beyond the ninety days of the Fixed Physical Completion Date will not be cost reimbursable. 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 the Fixed Physical Completion Date 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.</p>

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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:	
C.2.7	<p>PBS-07: Silos Project</p> <p>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:</p> <ul style="list-style-type: none"> • 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). • 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. • Record of Decision Amendment for Silo 3, September 2003 – redefined criteria for treatment of Silo 3 material – requiring treatment, to the degree reasonably implementable, 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. • 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. <p>The Silos Project is organized with three (3) major subprojects as follows:</p> <ul style="list-style-type: none"> • Silos 1 and 2 Full-Scale Remediation Project - The scope of the project is to design, construct, process, and disposition the waste. • 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. • Silo 3 Project - The scope of this project is to design, construct, test, retrieve, treat, and disposition the waste.
	<p>Definition of completion:</p> <ul style="list-style-type: none"> • Processing and disposition of silo waste material, silos debris, and soils • 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 • Certification of the underlying soils defined by Soil Certification Area 7 • Restoration of the silos project area in accordance with the approved NRRP
	<p>Documents used to demonstrate completion</p> <ul style="list-style-type: none"> • Manifests documenting disposition of silo material (including necessary debris) at a DOE identified disposal site • Completed "OSDF Manifest for Bulk Soil and Debris (FS-F-5154)" for debris and soils acceptable for disposition in the OSDF • Area 7 Soil Certification Report • Implementation Plan and Closeout Report for the Silos D&D activities. • Submission to and acceptance by DOE of the OU4 Interim Remedial Action Report • Submission to and acceptance by DOE of the Operable Unit 3 Final Remedial Action Report (to address the D&D of the remediation facilities) • Submission to and acceptance by DOE of the Operable Unit 5 Interim Remedial Action Report – Soils Remediation (to address the underlying soils) <p>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.</p>
	<p>Activities transferred to the legacy management phase:</p> <p style="text-align: center;">Operable Unit 5 Final Remedial Action Report upon groundwater remedy completion.</p>

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Activities Continuing During Contract Closeout Phase:

Disposition of property (both contaminated and uncontaminated) that is not being used by Fluor Fernald during contract closeout activities or by LM for ongoing operations will be completed within ninety days of the Fixed Physical Completion Date. Contaminated equipment will be removed from the Fernald site prior to the Declaration of Physical Completion. For this purpose disposition of property means moving the property off site and creating a clear disposition arrangement including identification of a person/place to receive and an accepted agreement. All costs incurred for contaminated and non-contaminated equipment disposition more than 90 days after DPC will be unallowable unless Fluor Fernald obtains specific permission from the DOE.CO. Costs incurred for disposition of equipment required for use during the contract closeout period or designated for transfer to LM are not covered by this restriction. The cost of contaminated equipment demobilization activities completed within ninety days of the Fixed Physical Completion Date will be cost reimbursable and will be considered in the cost incentive fee calculation. The cost of uncontaminated equipment demobilization completed within ninety days of the Fixed Physical Completion Date will be cost reimbursable and will be considered part of contract closeout costs. The cost of contaminated or uncontaminated equipment demobilization that occurs beyond the ninety days of the Fixed Physical Completion Date will not be cost reimbursable. 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 the Fixed Physical Completion Date 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.

Contract Modification M082, paragraph 5, specifies Fluor Fernald's responsibilities for the disposition alternatives for Silos 1 and 2 wastes. During the Contract Closeout Phase Fluor Fernald will perform the appropriate actions as specified in Modification M082.

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MATRIX TABLE B.1-15

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

C.2.10 PBS-10: Waste Treatment (Mixed Waste)

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:

- Organic Treatment: treatment and disposal of a variety of organically contaminated wastes including PCB's, debris, soils, sludge and stabilized water.
- Inorganic Treatment: treatment and disposal of inorganic wastes including lead, mercury and smaller quantities of miscellaneous inorganics.
- Thorium: preparation and disposal of low level thorium residues, and treatment and disposal of low level mixed thorium wastes.
- TSCA Liquids: disposition of aqueous/liquid mixed, TSCA or combustible wastes at the DOE TSCA incinerator at Oak Ridge, TN or elsewhere.
- Aqueous/Liquids Wastes: disposition of aqueous mixed waste through to FCP Advanced Wastewater Treatment Facility.
- 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.
- Waste Treatment Administration: project support activities including maintenance of the FFCA Site Treatment Plan.
- Sample Disposition

Definition of completion:

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.

Completion therefore is:

- 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
- Completed Certificates of Destruction may be submitted post DPC.

Documents used to demonstrate completion

- SWIFTS printout indicating zero "ACTIVE" containers, all containers indicating "SHIPPED", with a production date prior to February 17, 2004.
- List of expected types and quantities of waste that would be present at the time of Declaration of Physical Completion as provided in March 2005 CE/TP negotiations.
- Submission to and acceptance by DOE of the Operable Unit 3 Final Remedial Action Report

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:

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.

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; however, costs are included in the cost incentive fee calculation

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Activities Continuing During Contract Closeout Phase:

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.

Excluding the waste inventory discussed in Contract Modification M082, waste that is offsite, but awaiting treatment prior to final disposition will be managed by Fluor Fernald. An inventory of wastes and offsite locations will be provided at the time of the Declaration of Physical Completion. Although disposition may take up to twelve months, the costs of the activities are reimbursable and will be estimated for incentive fee calculation purposes. The Contracting Officer's determination on release of cost and schedule fee pursuant to B.8.f. will not be delayed pending determination of the final cost of the activities. Contract modification M082, section 5, addresses the contractor responsibilities for disposition of Silos 1 and 2 waste materials.

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MATRIX TABLE B.1-16
<p>Contract DE-AC24-01OH20115 – Section C Work Scope Definition:</p> <p>C.2.11 PBS-11: Low Level Waste</p> <p>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.</p> <p>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.</p> <p>Definition of completion:</p> <p>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.</p> <p>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.</p>
<p>Documents used to demonstrate completion</p> <ul style="list-style-type: none"> • SWIFTS printout indicating zero "ACTIVE" containers, all containers indicating “SHIPPED”, with a production date prior to February 17, 2004 • • Submission to and acceptance by DOE of the Operable Unit 3 Final Remedial Action Report <p>Note: Interim declaration checklists (further discussed in Section C) will be used to document completion of discrete portions of fieldwork and can be used as the basis for documenting a final demonstration of completion.</p> <p>Note: Completed Certificates of Destruction may be submitted post DPC.</p>
<p>Activities transferred to the legacy management phase:</p> <p>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, however the costs will be included as part of the incentive fee calculation.</p>
<p>Activities Continuing During Contract Closeout Phase:</p> <p>As a general rule, Fluor Fernald must disposition all LLW that results from the Fernald Closure Project operations or restoration activities prior to DPC. However, small quantities of LLW will be generated for continuing operations that will still be performed under LM’s responsibility following DPC. Where the same waste stream will continue to be generated during LM operations, LM will dispose of the small quantities of LLW generated during the final Fluor Fernald operations. Fluor Fernald will accrue, as a trailing cost, the estimated cost for LM disposal of the LLW material generated during Fluor Fernald operations up to DPC. These costs will be considered for purposes of fee determination. Acceptable management in accordance with existing site programs and procedures will be maintained.</p>

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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:	
C.3.7 Long-Term Stewardship (LTS)	
<p>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.</p> <p>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.</p> <p>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.</p> <p>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).</p> <p>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.</p> <p>The Contractor shall assist DOE in coordination and communication regarding LTS planning and transition with all involved parties including local stakeholders and regulators.</p>	
Definition of completion:	
<p>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.</p>	
Documents used to demonstrate completion	
<ul style="list-style-type: none"> • Comprehensive Legacy Management and Institutional Controls Plan • Comprehensive Exit/Transition Plan <p>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.</p>	
Activities transferred to the legacy management phase:	
<ul style="list-style-type: none"> • Maintaining institutional controls established for the site. • Completing Aquifer Remediation and groundwater certification requirements. • Continuing required groundwater monitoring program. • Monitoring and managing leachate from the OSDF. • Completing required surveillance and maintenance of the OSDF. • Handling information requests related to legacy management and past site operations. • Maintaining points of contact for Stakeholders and Regulators. • Reporting requirements to Stakeholders and Regulators. 	
Activities Continuing During Contract Closeout Phase:	
<p>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.</p>	

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:

C.2.1 PBS-01: Project Support

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.

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.

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:

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 Determination of Physical Completion.

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, the functions identified in C.2.12 will continue only to the extent that 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.

Activities transferred to the legacy management phase:

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:

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

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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.

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, the functions identified in C.2.12 will continue only to the extent that 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

Emergency Management –site-specific hazard analysis document addressing OSDF, CAWWT, Wildland Fire, Information Repository, and Off-site/Regional Hazards.

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Statement of Work Elements Unrelated to the Declaration that the FCP Has Been Physically Completed

MATRIX TABLE B.2-2

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 that will appropriately be transferred to the contractor/entity responsible for legacy management upon Determination of Reasonableness. 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.

Property Management – Disposition of property (both contaminated and uncontaminated) that is not being used by Fluor Fernald during contract closeout activities or by LM for ongoing operations will be completed within ninety days of the Fixed Physical Completion Date. Contaminated equipment will be removed from the Fernald site prior to the Declaration of Physical Completion. For this purpose disposition of property means moving the property off site and creating a clear disposition arrangement including identification of a person/place to receive and an accepted agreement. All costs incurred for contaminated and non-contaminated equipment disposition more than 90 days after DPC will be unallowable unless Fluor Fernald obtains specific permission from the DOE CO. Costs incurred for disposition of equipment required for use during the contract closeout period or designated for transfer to LM are not covered by this restriction. The cost of contaminated equipment demobilization activities completed within ninety days of the Fixed Physical Completion Date will be cost reimbursable and will be considered in the cost incentive fee calculation. The cost of uncontaminated equipment demobilization completed within ninety days of the Fixed Physical Completion Date will be cost reimbursable and will be considered part of contract closeout costs. The cost of contaminated or uncontaminated equipment demobilization that occurs beyond the ninety days of the Fixed Physical Completion Date will not be cost reimbursable. Estimates today indicate 657 pieces of uncontaminated and 35 pieces of contaminated equipment to be dispositioned in the ninety-day period following the Declaration of Physical Completion. These estimates will be updated and revisited with DOE and Fluor Fernald at times when additional information becomes available, such as the updated estimate in August 2005, approval of the Silos D&D Plan, the decision on transportation mode for Silo debris, and the completion of the OSDF Cell 8 clay layer. The areas of DOE's greatest concern are for field equipment (i.e. trailers, large equipment, and vehicles).

DOE must identify what property being managed by Fluor Fernald will be required during legacy management by agreement in the Site Transition Matrix. 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. Fluor Fernald will identify the property to be required during their contract closeout phase in the Contract Closeout Plan. Active Real Property Records, and index/finding aid, and Land Status Map will be provided to DOE by the Declaration of Physical Completion.

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.

Emergency Management – DOE must develop a site specific Emergency Plan to be integrated in the LMICP based upon the Fluor Fernald site-specific hazard analysis document to be completed by the Declaration of Physical Completion.

Activities Continuing During Contract Closeout Phase:

Contracts and Asset Management – The Contract Closeout Plan is due to DOE concurrently with Fluor Fernald's Declaration of Physical Completion. It is Fluor Fernald's position that none of the contract deliverables during the active closure period of the contract will continue beyond the Fixed Physical Completion Date. 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 of Physical Completion.

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

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

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 beyond the Fixed Physical Completion Date. 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 of Physical Completion. The Contract Closeout Plan will define finance activities to occur beyond the Fixed Physical Completion Date 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

Property Management –Fluor Fernald will identify the property to be required during Contract Closeout in the Contract Closeout Plan The Contract Closeout Plan will define property disposition activities that will occur at completion of contract closeout.

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MATRIX TABLE B.2-2

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 of Physical Completion. The Contract Closeout Plan will define HR activities to occur beyond the Fixed Physical Completion Date 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 of Physical Completion.

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 of Physical Completion. 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 of 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 of Physical 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 of Physically Completion. 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 of Physical Completion. 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 (any anniversary prior to the Declaration of Physical Completion will be considered part of the CE/TP.)

These will be required beyond the Fixed Physical Completion Date 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 of Physical Completion.

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

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

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.

Disposition of property (both contaminated and uncontaminated) that is not being used by Fluor Fernald during contract closeout activities or by LM for ongoing operations will be completed within ninety days of the Fixed Physical Completion Date. Contaminated equipment will be removed from the Fluor Fernald site prior to the Declaration of Physical Completion. For this purpose disposition of property means moving the property off site and creating a clear disposition arrangement including identification of a person/place to receive and an accepted agreement. All costs incurred for contaminated and non-contaminated equipment disposition more than 90 days after DPC will be unallowable unless Fluor Fernald obtains specific permission from the DOE CO. Costs incurred for disposition of equipment required for use during the contract closeout period or designated for transfer to LM are not covered by this restriction. The cost of contaminated equipment demobilization activities completed within ninety days of the Fixed Physical Completion Date will be cost reimbursable and will be considered in the cost incentive fee calculation. The cost of uncontaminated equipment demobilization completed within ninety days of the Fixed Physical Completion Date will be cost reimbursable and will be considered part of contract closeout costs. The cost of contaminated or uncontaminated equipment demobilization that occurs beyond the ninety days of the Fixed Physical Completion Date will not be cost reimbursable. Estimates today indicate 657 pieces of uncontaminated and 35 pieces of contaminated equipment to be dispositioned in the ninety-day period following the Declaration of Physical Completion. These estimates will be updated and revisited with DOE and Fluor Fernald at times when additional information becomes available, such as the August 2005 update, approval of the Silos D&D Plan, the decision on transportation mode for Silo debris, and the completion of the OSDF Cell 8 clay layer. The areas of DOE's greatest concern are for field equipment (i.e. trailers, large equipment, and vehicles).

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.

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.

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.

Stores Holding Accounts - See Property Management

Stores Administration - See Property Management

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.

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 record inventory list in a hardcopy and electronic format to the post-physical completion records custodian identified by the Contracting Officer by the date identified in the Site Transition Matrix. The contractor shall provide a Reading Room through the Fixed Physical Completion Date to the extent required by CERCLA.

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."

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 of Physical Completed. 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 Site Transition Matrix. Fluor Fernald expects to disposition all other records within 180 days after DOE by the Determination of Reasonableness. 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.

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MATRIX TABLE B.2-2

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.

There are a number of noteworthy specific activities associated with these functional areas that will continue beyond the Fixed Physical Completion Date during the contract closeout phase and are listed below for reference. This listing is in no way intended to be comprehensive.

- ✓ Final cost and schedule reporting for the closure phase of the contract
- ✓ Collecting and reporting costs during contract closeout
- ✓ Cost incurred auditing for contract closeout purposes
- ✓ Documentation of offsite analytical laboratory closeout
- ✓ Final archiving of records associated with these functional areas
- ✓ Individual notifications of health & safety exposures. This will include, by necessity, access to, followed by archiving of, associated records
- ✓ 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
<p>Contract DE-AC24-01OH20115 – Section C Work Scope Definition:</p> <p>C.2.13 PBS-13: Post Source Term Removal Project</p> <p>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.</p> <p>Definition of completion:</p> <ul style="list-style-type: none"> • This is not part of the Declaration of Physical Completed. • This scope item is complete once DOE accepts the PBS schedule and budget estimate developed by Fluor Fernald for inclusion in the PBS. • 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. • Note that this scope item was included in the FY 2006 IPABS submittal as item OH-FN-LTS: Legacy Management.
<p>Documentation used to demonstrate completion:</p> <p>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.</p> <p>The submittal will include a summary planning account with schedule and cost estimate for the following discrete activities:</p> <ul style="list-style-type: none"> • Operation of the groundwater remedy (including monitoring and reporting) • Operation of leachate management and OSDF leak detection program • Long-term care of the FCP, including site surveillance, monitoring, and reporting for the On-Site Disposal Facility • D&D of operational facilities at remedy completion • Soil excavation/certification activities after operational facilities are removed • Maintenance of site restoration areas <p>As of this edition of the CE/T Plan, DOE has accepted the FY 2006 IPABS plan and budget for this scope item.</p>
<p>Activities transferred to the legacy management phase:</p> <p>This planning level document will be provided to DOE and the legacy management contractor. All activities identified will become the responsibility of DOE.</p>
<p>Activities Continuing During Contract Closeout Phase:</p> <p>None.</p>

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MATRIX TABLE B.2-4
<p>Contract DE-AC24-01OH20115 – Section C Work Scope Definition:</p> <p>C.2.14 PBS-14: Post-Closure Administration</p> <p>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.</p>
<p>Definition of completion:</p> <ul style="list-style-type: none"> • This is not part of the Declaration of Physically Completion. • This scope item is complete once DOE accepts the PBS schedule and budget estimate developed by Fluor Fernald for inclusion in the PBS. • Completeness will be defined as an approved work scope definition for this PBS, which addresses the post-physical completion liabilities identified above. • 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.
<p>Documentation used to demonstrate completion:</p> <ul style="list-style-type: none"> • 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. • As of this edition of the CE/T Plan, DOE has accepted the FY 2006 IPABS plan and budget for this scope item.
<p>Activities transferred to the legacy management phase:</p> <p>None.</p>
<p>Activities Continuing During Contract Closeout Phase:</p> <p>None.</p>

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MATRIX TABLE B.2-5
<p>Contract DE-AC24-01OH20115 – Section C Work Scope Definition:</p>
<p>C.3.1 Project Management System</p> <p>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.</p>
<p>Definition of completion:</p> <ul style="list-style-type: none"> • This is not part of the Declaration of Physical Completion. • 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 the Determination of Reasonableness. • Once the Fixed Physical Completion Date has been established, 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 the Declaration of 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 of Physical Completion, as required by Clause F.6 of the contract.
<p>Documents used to demonstrate completion:</p> <p>NA</p>
<p>Activities transferred to the legacy management phase:</p> <ul style="list-style-type: none"> • The legacy management contractor will be responsible for coordinating with DOE on the systems and reporting requirements necessary to support legacy management activities.
<p>Activities Continuing During Contract Closeout Phase:</p> <ul style="list-style-type: none"> • 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. • 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. • 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.

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MATRIX TABLE B.2-6
<p>Contract DE-AC24-01OH20115 – Section C Work Scope Definition:</p> <p>C.3.2 Integrated Safety Management System 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.</p> <p>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.</p> <p>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.</p>
<p>Definition of completion:</p> <ul style="list-style-type: none"> • This is not part of the Declaration of Physical 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).
<p>Documents used to demonstrate completion</p> <p>Not applicable</p>
<p>Activities transferred to the legacy management phase:</p> <p>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.</p>
<p>Activities Continuing During Contract Closeout Phase:</p> <p>None.</p>

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Statement of Work Elements Unrelated to the Declaration that the FCP Has Been Physically Completed

MATRIX TABLE B.2-7
<p>Contract DE-AC24-01OH20115 – Section C Work Scope Definition:</p> <p>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.</p> <p>In addition to ES&H requirements defined above and in other Sections of the Contract, the Contractor shall:</p> <ul style="list-style-type: none"> • 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.
<p>Definition of completion:</p> <ul style="list-style-type: none"> • 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 of Physical Completion.
<p>Documents used to demonstrate completion</p> <p>NA</p>
<p>Activities transferred to the legacy management phase:</p> <ul style="list-style-type: none"> • 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.
<p>Activities Continuing During Contract Closeout Phase:</p> <p>None</p>

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Statement of Work Elements Unrelated to the Declaration that the FCP Has Been Physically Completed

MATRIX TABLE B.2-8
<p>Contract DE-AC24-01OH20115 – Section C Work Scope Definition:</p> <p>C.3.4 Records Management</p> <p>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.</p> <p>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.</p>
<p>Definition of completion:</p> <p>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 it's 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 Site Transition Matrix. Fluor Fernald expects to disposition all other records within 180 days after the Determination of Reasonableness. Even after records have been archived, it may become necessary for Fluor Fernald to reasonably access records for the purposes of litigation or administrative claims resolution.</p>
<p>Documents used to demonstrate completion</p> <ul style="list-style-type: none">• Inventory list of records dispositioned in hard copy and electronic form.• Inventory list identifying Records required to support DOE-LM in hard copy and electronic form.
<p>Activities transferred to the legacy management phase:</p> <ul style="list-style-type: none">• Maintaining inventory lists of all FCP records dispositioned• Managing information requests by Regulators and Stakeholders• Management of records that are required to support legacy management.• Programs related to FOIA, Privacy Act, and EEOICPA• Records generated beyond the Fixed Physical Completion Date
<p>Activities Continuing During Contract Closeout Phase:</p> <ul style="list-style-type: none">• Disposition of any records not dispositioned at the time of the Declaration of Physical Completion as defined above. In addition, Fluor Fernald will have to arrange reasonable 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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Section B.2: Contract Compliance Matrix

Statement of Work Elements Unrelated to the Declaration that the FCP Has Been Physically Completed

MATRIX TABLE B.2-9
<p>Contract DE-AC24-01OH20115 – Section C Work Scope Definition:</p> <p>C.3.5 Safeguards and Security</p> <p>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:</p> <ul style="list-style-type: none">• DOE O 470.1, Safeguards and Security Program• DOE CRD N 471.3 Reporting Incidents of Security Concern• DOE O 472.1B, Personnel Security Activities• DOE O 473.2 Protective Force Program• DOE 5632.1C Protection and Control of Safeguards and Security Interests
<p>Definition of completion:</p> <p>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.</p>
<p>Documents used to demonstrate completion</p> <p>None</p>
<p>Activities transferred to the legacy management phase:</p> <p>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.</p>
<p>Activities Continuing During Contract Closeout Phase:</p> <p>None</p>

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Section B.2: Contract Compliance Matrix

Statement of Work Elements Unrelated to the Declaration that the FCP Has Been Physically Completed

MATRIX TABLE B.2-10
<p>Contract DE-AC24-01OH20115 – Section C Work Scope Definition:</p> <p>C.3.6 Innovative Technology Programs</p> <p>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.</p>
<p>Definition of completion:</p> <p>This has been an ongoing activity in support of remedial activities through physical completion. This function will be closed at or before the Declaration of Physical Completion.</p>
<p>Documents used to demonstrate completion</p> <p>None.</p>
<p>Activities transferred to the legacy management phase:</p> <p>While DOE's legacy management contractor may avail themselves of this opportunity, there is no specific activity to be transferred.</p>
<p>Activities Continuing During Contract Closeout Phase:</p> <p>None.</p>

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

MATRIX TABLE B.2-11	
Contract DE-AC24-01OH20115 – Section C Work Scope Definition:	
C.4	<p>DOE Support</p> <p>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.</p> <p>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.</p>
<p>Definition of completion:</p> <ul style="list-style-type: none"> • This is not a part of the Declaration of Physical Completion. • This statement of work element for "DOE support" will end with the Determination of Reasonableness, at which point Fluor Fernald will enter the Contract Closeout phase. • Contract closeout will not include DOE support costs; it is assumed for this CE/T Plan that any additional DOE support costs beyond the Fixed Physical Completion Date, will be borne by the DOE-LM contractor. • Post Closure Liabilities for EEOICPA items will become part of the estimate under PBS 14 – Post Closure Administration. 	
<p>Documentation used to demonstrate completion:</p> <ul style="list-style-type: none"> • Determination of Reasonableness, which moves the site into the Contract Closeout phase and ends Fluor Fernald's participation in this statement of work element. • DOE's acceptance of the PBS 14 schedule and budget estimate, which will address EEOICPA items as needed. 	
<p>Activities transferred to the legacy management phase:</p> <p style="text-align: center;">None</p>	
<p>Activities Continuing During Contract Closeout Phase:</p> <p style="text-align: center;">None</p>	

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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 upon Determination of Reasonableness. 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 of Physical Completion.
- It is recognized that some of these activities may be assumed by DOE or discontinued prior to the Declaration of 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

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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 of Physical Completion. 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.

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 Declaration of Physical Completion of the FCP
Map 2	FCP Post-Closure Site Maps 2 (A-G): Utilities 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 Closure Site Map 4: Soil Certification Map	Identify the soil excavation areas that have been certified
Map 5	FCP Declaration Area Map	Declaration areas used for D&D, soil remediation, and natural resources Preliminary Declaration of Work 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 Work Completion.

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 30 calendar 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. Final reviews of previously reviewed Preliminary Declarations will focus on completion of punch list items and identification of any conditions that have changed since the initial review consistent with previously used acceptance criteria. Any changed acceptance criteria from the initial review must be approved by the DOE CO and the Fluor Fernald Prime Contract Manager.

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. 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. 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. 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

To meet the requirements of the Fernald Closure Contract, Section C.1.2 End State the following Final or Interim Remedial Action Reports are to be submitted:

- 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 Interim Remedial Action Report
- OU5: Interim Remedial Action Report: Section I - On-Site Disposal Facility
- OU5: Section II - Site-Wide Soils and Sediment
- OU5: Section III- Aquifer Restoration

To date, significant effort has been expended to define the scope, content, and level of detail of the required Interim and Final Remedial Action Reports. A strategy for the preparation of these reports was outlined to the U.S. EPA (Letter, DOE-0013-04, dated October 16, 2003) and subsequently approved by U.S. EPA on January 15, 2004. A Fact Sheet was developed and approved documenting this agreement in April 2005.

Based on the agreed strategy, the following draft reports were prepared and provided to DOE for their review.

- Submission of the Draft Final Remedial Action report for Operable Unit 1 – Waste Pits Remedial Action (Letter C:BSOP(CA/PC):2005-0023, dated March 21, 2005)
- Submission of the Operable Unit 2 Final Remedial Action Report (Letter C:BSOP(CA/PC):2004-0067, dated October 21, 2004)
- Submission of the Revised Operable Unit 2 Final Remedial Action Report (letter C:BSOP(CA/PC):2005-0006, dated January 24, 2005)
- Submission of the Draft Final Remedial Action Report for Operable Unit 3 (Letter C:BSOP(CA/PC):2005-0024, dated March 23, 2005)
- Submission of the Draft Interim Remedial Action Report for Operable Unit 5 (Section 1) – On-Site Disposal Facility (Letter C:BSOP(CA/PC):2005-0009, dated January 31, 2005)
- Submission of the Draft Interim remedial Action Report for Operable Unit 5 (Section 3) – Aquifer Restoration (Letter C:BSOP(CA/PC):2005-0017, dated March 10, 2005)
- Submission of the Draft Interim Remedial Action Report for Operable Unit 5 (Section 2) – Sitewide Soil and Sediment (Letter C:BSOP(CA/PC):2005-0018, dated March 14, 2005)

Part of this agreement included the submission of draft reports to both U.S. EPA and Ohio EPA for an informal review. The Final Remedial Action Report for Operable Unit 2 has been submitted to the agencies twice for which comments have been received. Operable Unit 3 has also been submitted to the agencies for which comments were received only from U.S. EPA. The Interim Reports (Sections 1, 2, and 3) for Operable Unit 5 were submitted to the agencies for informal review on November 10, 2005 (Letter DOE-0017-06). No comments have been received to date.

It has been determined in consultation with DOE that no further submittals of the other remedial action reports will be made to the agencies for informal review.

The scope of these remedial action reports, their content and level of detail have been successfully established with U.S. EPA. In addition to the aforementioned U.S. EPA approval of the strategy for completing these reports, U.S. EPA's review of the Operable Unit 2 Report resulted in agreement with the content and level of detail of these reports. Meeting minutes from a November 8, 2004 meeting with the agencies to discuss the Operable Unit 2 report and a subsequent e-mail from U.S. EPA, both of which were provided to Fluor Fernald document this agreement. (Letter OH-0100-05, Ralph Holland to Dennis Sizemore, dated December 15, 2004)

The U.S. EPA approved strategy for the preparation of these reports, the U.S. EPA agreement as to content and level of detail of these reports, the preparation and early submission of drafts of all the remedial action reports, except Operable Unit 4, to DOE, and the submission of select reports (five of the seven required) to the agencies for review and feedback all provide a sound basis for DOE to accept these reports as required by the contract.

The approach for submitting the Operable Unit Remedial Action Reports will consist of:

1. Preparing a response to comments document for all comments received on the Operable Unit 2, 3, and 5 reports (if comments are received on the Operable Unit 5 reports);
2. Incorporation, as appropriate, comments from these reports into the other remedial action reports
3. Submittal of the reports to DOE in the format described above and with the incorporation of the EPA comments shall constitute meeting the contractual requirements for the Interim and Final Remedial Action Reports. The Interim and Final Remedial Action Reports will be submitted as follows:
 - 3.1. For OU-1, Waste Pits: the Final Remedial Action Report was submitted May 9, 2006.
 - 3.2. For OU-2, Other Waste Landfills: the Final Remedial Action Report was submitted June 28, 2006.
 - 3.3. For OU-3, Facility D&D and Containerized Legacy Waste/Nuclear Product: The Final Remedial Action Report will be submitted approximately two weeks after the remediation scope is complete and the final D&D completion report is submitted (target September 29, 2006).
 - 3.4. For OU-4, Silos Waste: the Interim Remedial Action Report was submitted June 23, 2006.

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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		

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.		

Documents & Letters Supporting Completion Declaration:

Document	Approval Date

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		

Documents & Letters Supporting Completion Declaration:

Document	Approval Date

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		

Documents & Letters Supporting Completion Declaration:

Document	Approval Date

Interim Declaration Checklist – C.1.1.6

Verification For On-Site Disposal Facility Cell Completion

Date: _____

DOE Signature: _____

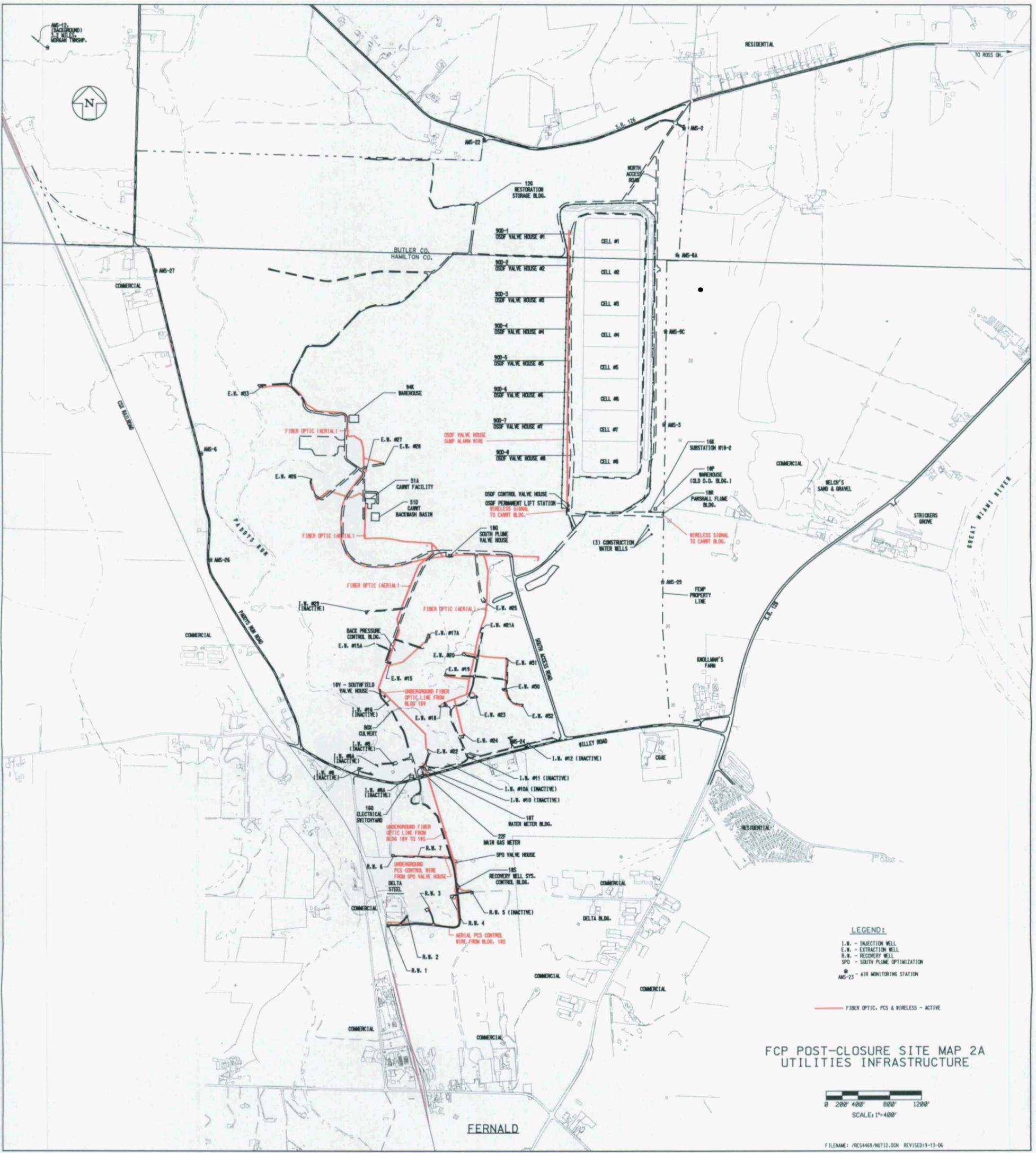
Fluor Fernald Signature: _____

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		

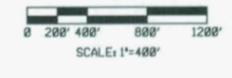
* Does not apply to individual OSDF cell verification

Documents & Letters Supporting Completion Declaration:

Document	Approval Date

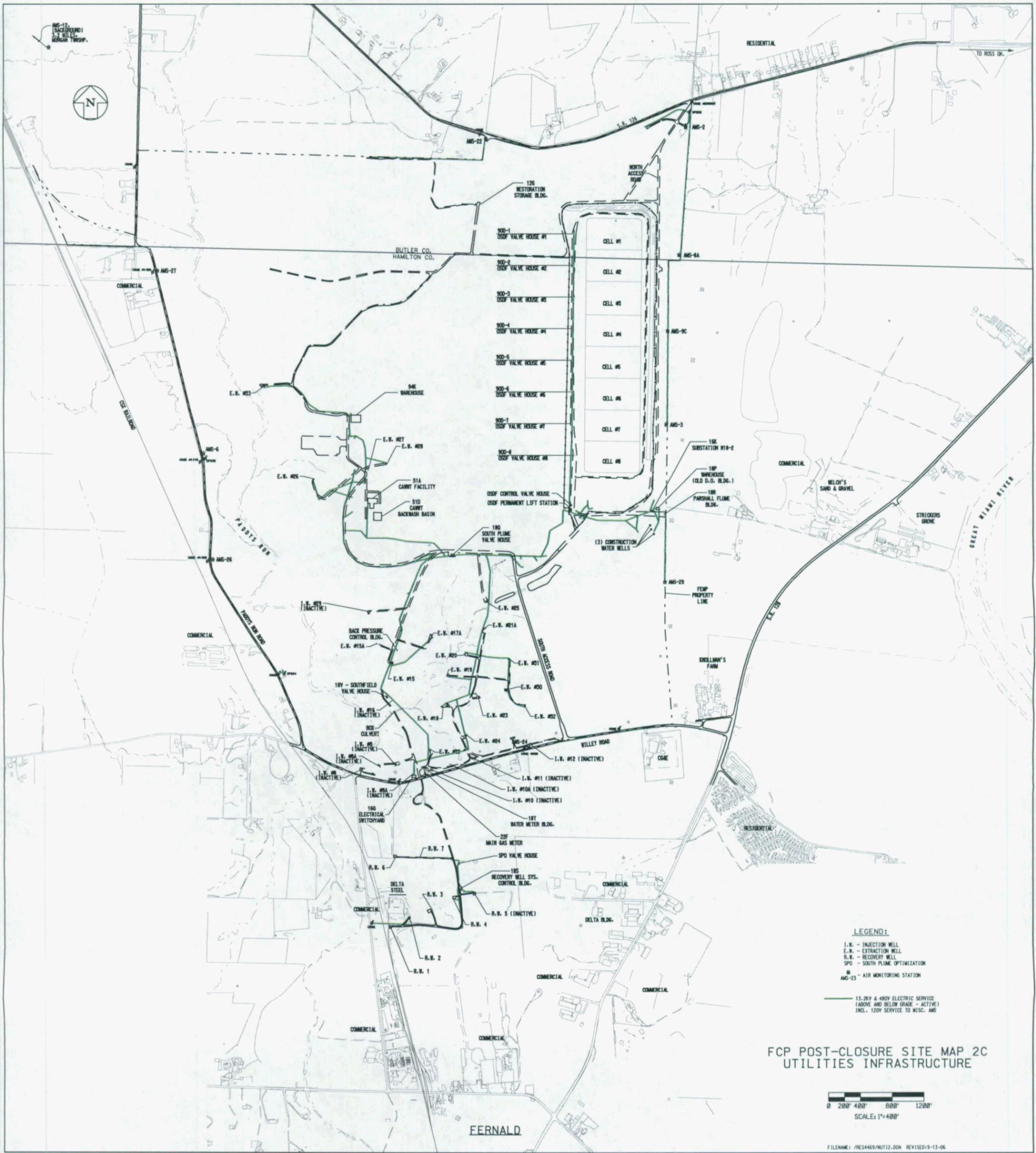


**FCP POST-CLOSURE SITE MAP 2A
UTILITIES INFRASTRUCTURE**



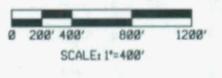
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006242

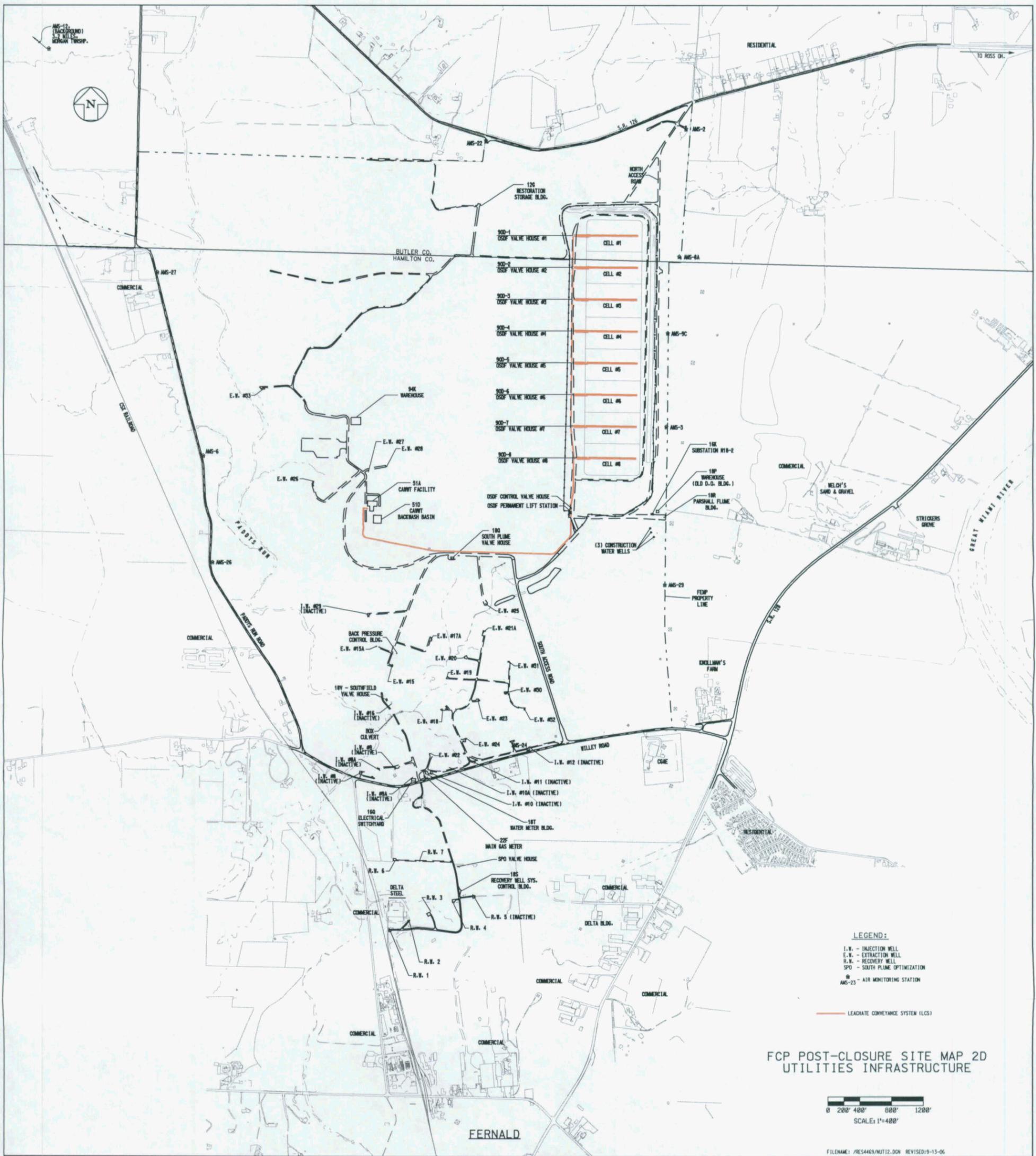


FCP POST-CLOSURE SITE MAP 2C
UTILITIES INFRASTRUCTURE

- LEGEND:**
- I.W. - INJECTION WELL
 - E.W. - EXTRACTION WELL
 - R.W. - RECOVERY WELL
 - SPO - SOUTH PLUME OPTIMIZATION
 - AMS-25 - AIR MONITORING STATION
 - 13.2KV & 480V ELECTRIC SERVICE (ABOVE AND BELOW GRADE - ACTIVE) INCL. 120V SERVICE TO MISC. AMS



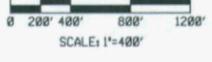
FILENAME: /RES4469/0112.DGN REVISED:9-13-06



LEGEND:
 I.W. - INJECTION WELL
 E.W. - EXTRACTION WELL
 R.W. - RECOVERY WELL
 SPO - SOUTH PLUME OPTIMIZATION
 AM-23 - AIR MONITORING STATION

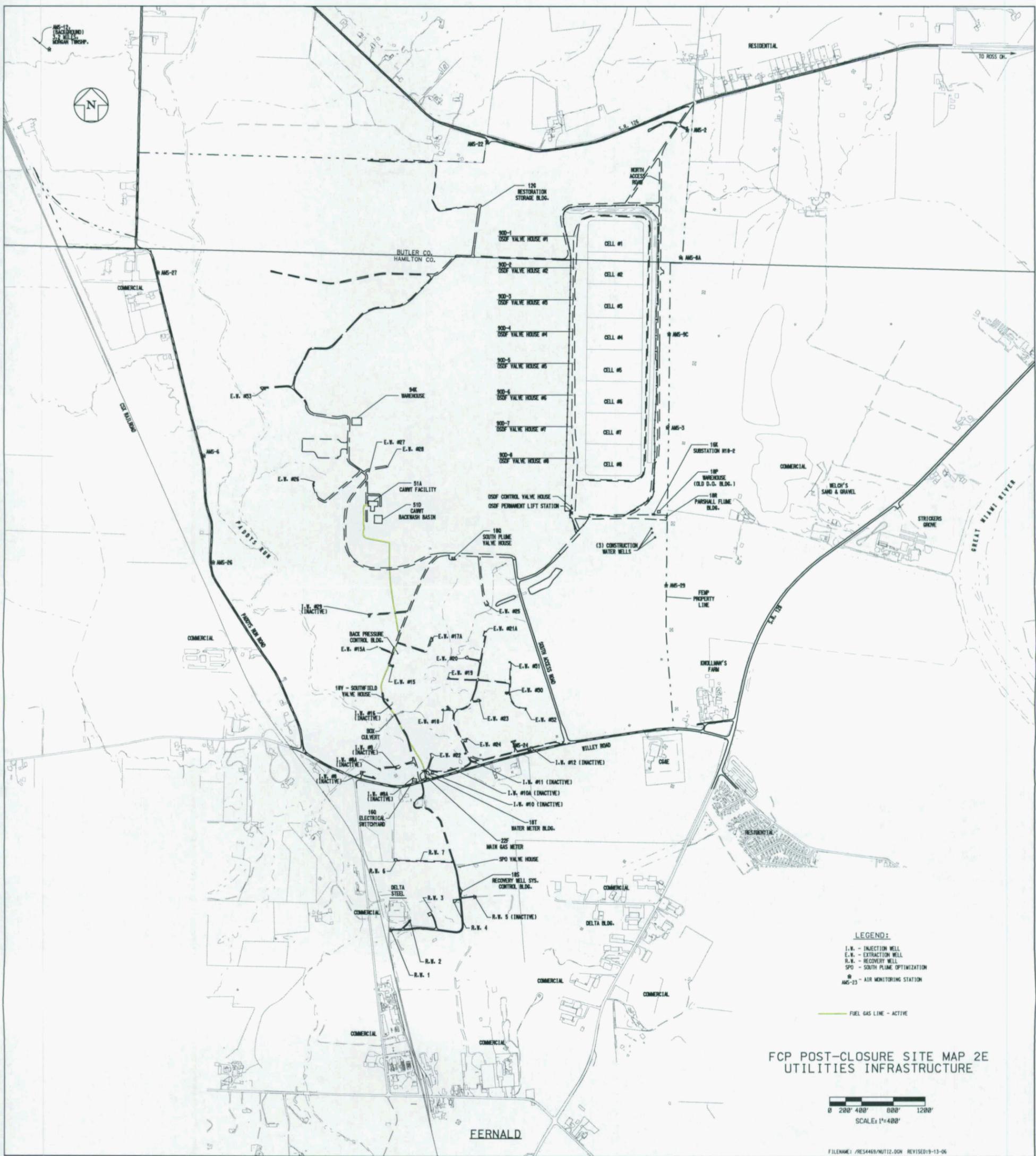
— LEACHATE CONVEYANCE SYSTEM (LCS)

**FCP POST-CLOSURE SITE MAP 2D
 UTILITIES INFRASTRUCTURE**



FILENAME: /RES4469/UT12.DGN REVISED:9-13-06

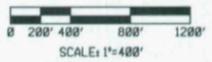
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LEGEND:
 I.W. - INJECTION WELL
 E.W. - EXTRACTION WELL
 R.W. - RECOVERY WELL
 SPO - SOUTH PLUME OPTIMIZATION
 AMS-25 - AIR MONITORING STATION

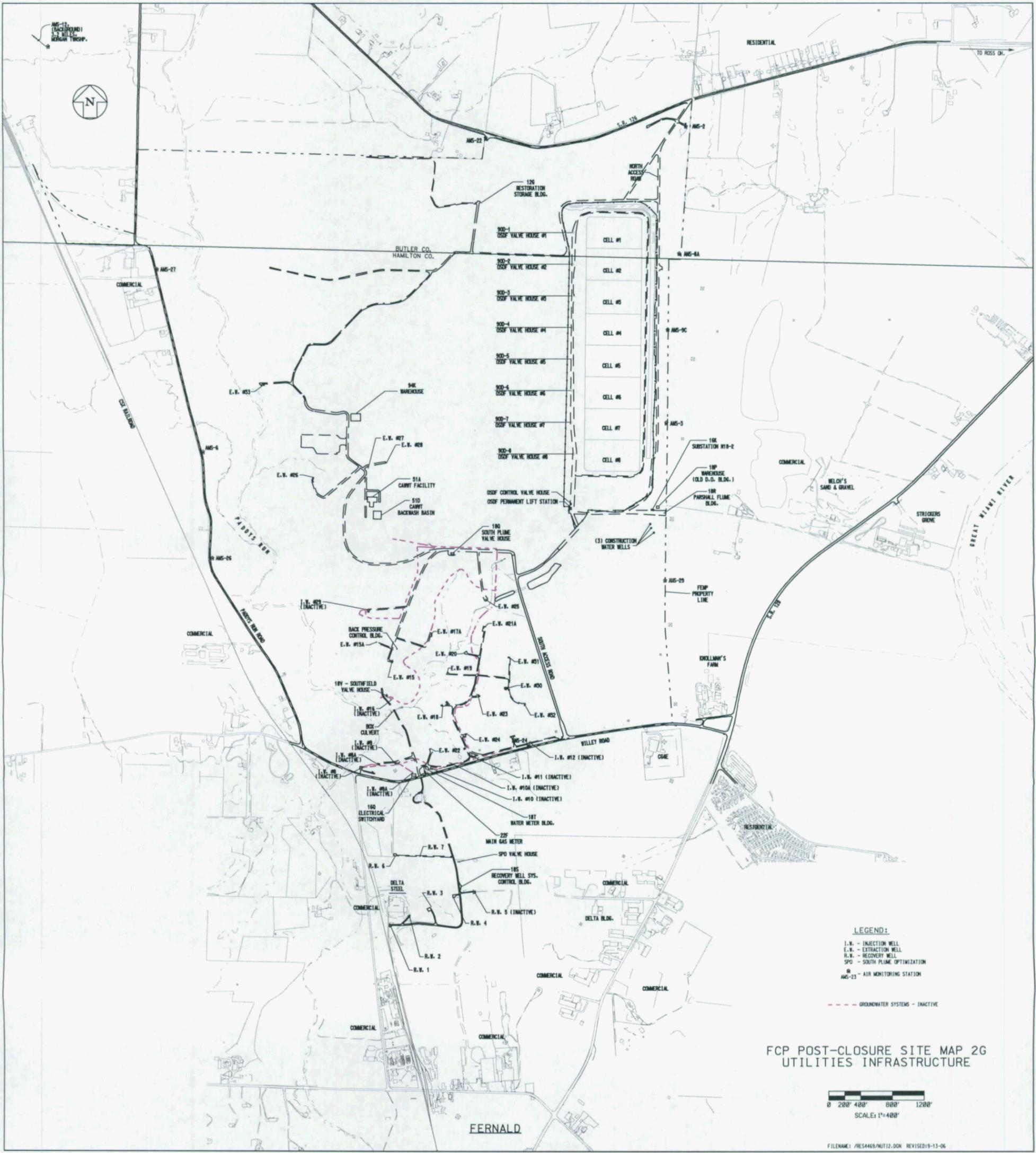
— FUEL GAS LINE - ACTIVE

**FCP POST-CLOSURE SITE MAP 2E
 UTILITIES INFRASTRUCTURE**

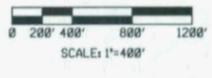


FILENAME: /RES4469/NU112.DGN REVISED:9-13-06

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FCP POST-CLOSURE SITE MAP 2G
UTILITIES INFRASTRUCTURE



FILENAME: /RES4469/NU12.DGN REVISED 19-13-06

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