



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

**MAY 02 2006**

Mr. Johnny W. Reising  
 United States Department of Energy  
 Fernald Closure Project  
 175 Tri-County Parkway  
 Springdale, Ohio 45246

REPLY TO THE ATTENTION OF:  
 SR-6J

RE: LMICP Revision D  
 Extension Request

Dear Mr. Reising:

The United States Environmental Protection Agency (U.S. EPA) has completed its review of the United States Department of Energy's (U.S. DOE) April 27, 2006, letter requesting an extension for submittal of responses to comments on the comprehensive Legacy Management and Institutional Control Plan (LMICP) until June 30, 2006.

U.S. DOE has requested this extension to address the U.S. EPA and OhioEPA comments submitted on Revision D of the LMICP, and to coordinate those responses with the Office of Legacy Management.

U.S. EPA concurs with U.S. DOE's request for an extension until June 30, 2006. However, U.S. EPA does not concur with U.S. DOE only submitting comment responses. U.S. DOE must submit comment responses, and a complete revised LMICP including all attachments by June 30, 2006. Further, this document must adequately address all of both U.S. EPA and OhioEPA's comments. U.S. DOE must make all attempts to meet with both U.S. EPA and OhioEPA to revise all of the outstanding comments on the LMICP and have them incorporated into the June 30, 2006, submittal. No further extension requests will be granted in this matter.

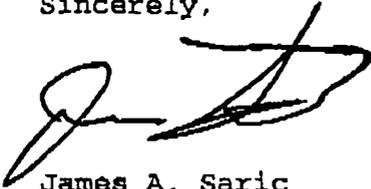
U.S. DOE has have four attempts to revise this document. Although this is a complicated document and given the fact that it is a living document, as it changes with site closure activities, there is no reason the LMICP can not be submitted in an approvable form with the next submittal. Without approval of the LMICP, U.S. EPA will not being able to approve any of the remedial action closure reports.

U.S. DOE should pick a specific date to describe current LMICP activities and finalize the plan accordingly. U.S. DOE can then provide the required annual update of the LMICP in January 2007, detailing the status of the LMICP if closure is completed.

-2-

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

Sincerely,



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

cc: Tom Schneider, OEPA-SWDO  
Con Murphy, Fluor Fernald  
Frank Johnston, Fluor Fernald