

## INTEROFFICE CORRESPONDENCE

DATE. November 24, 1992  
TO M S Buddy, Remediation Project Management, Bldg 080, X8519  
FROM *GA* E A Dille, Remediation Project Management, Bldg 080, X8684  
SUBJECT POTENTIAL OU 2 RI REPORT EPA/CDH ENFORCEMENT ACTION - EAD-040-92

### ORIGINAL SCOPE

The Operable Unit No 2 field program as negotiated in the Interagency Agreement (IAG) was divided into two field programs, the Alluvial field program and the Bedrock field program. The original schedule staggered the start of the two field programs so that the Alluvial program would begin before the Bedrock program, with the two programs finishing simultaneously. Data from both programs would then be compiled and incorporated into a single RFI/RI Report.

Due to initial Environmental Restoration programmatic delays, the Alluvial program was delayed until such time that both field programs should have started contemporaneously. Due to problems with field logistics, only the Alluvial program started and it was 10 months late (August 26, 1991). Other funding problems within the entire Environmental Restoration FY92 budget did not allow the Bedrock program to commence in FY92. In addition, ER personnel felt that the technical merits of performing the Bedrock program could better be evaluated after receiving data from the Alluvial program.

### PROJECT CHRONOLOGY

I replaced the existing OU 2 Project Manager in November 1991. The Acting Manager for Remediation Programs Division (RPD) informed me in early November, at a staff meeting, that funding levels for FY92 would not allow full funding of OU 2. A decision was made (I do not know by whom) not to fund the Bedrock field program in FY92 (approx \$5 million) but to delay the program to FY94. Discussions with the Acting RPD Manager indicated that DOE/RFO management was involved in the decision to defer the Bedrock Program.

I notified DOE/RFO in a letter from J. M. Kersh to R. M. Nelson dated 2/28/92 (92-RF-1730) of the funding shortfall and deferment of the Bedrock program, asking them to notify EPA and CDH. The letter requested that DOE/RFO inform the Agencies of this development. DOE/RFO did not inform the Agencies. Instead of informing the Agencies, DOE/RFO sent me a letter (ERD SRG 3049) asking for my evaluation of performing some cursory sampling of existing bedrock wells in OU 2 and drilling eight bedrock boreholes at this time.

ADMIN RECORD

REVIEWED FOR CLASSIFICATION/UCNI

By Bea Duran *(initials)*

Date 8-11-93

After informal discussions with the DOE/RFO Project Manager, the DOE/RFO Program Director and the Acting RPD Manager, DOE/RFO and EG&G decided not to perform this cursory bedrock program. Instead, the bedrock program would be deferred until such time that the Alluvial field investigation data could be assessed (FY94) and the Bedrock program rescoped or eliminated altogether. EG&G does not have this in writing, but DOE/RFO signed off on the FY92 work package, thereby agreeing with the program funding allocation.

To meet the RI Report milestone of March 12, 1993, DOE/RFO and EG&G decided to produce an Alluvial RI Report that would not include Bedrock field data. EG&G was pursuing this program until DOE/RFO redirected EG&G to perform the Bedrock field program during FY93. This decision was made during October 1992, during EG&G's presentation of FY93 work package budgets to DOE/RFO.

EPA notified DOE/RFO in a letter (8HWM-FF) stamped received April 2, 1992 that EPA was aware that the Bedrock program was not being performed and that DOE/RFO had not notified EPA/CDH of this development. The April 2, 1992 letter further states that RFI/RI Reports which exclude IAG negotiated field program data would be considered incomplete and in this case subject to stipulated penalties under the IAG.

On April 3, 1992, I requested in a letter from J. M. Kersh to R. M. Nelson (92-RF-3445) that DOE/RFO ask for a milestone extension for the Alluvial RI Report due to laboratory turnaround time delays. DOE/RFO did not request the extension at this time.

In the April 24, 1992 letter from J. M. Kersh to R. M. Nelson (92-RF-4570) EG&G outlines the approach agreed to regarding the Bedrock fieldwork implementation. DOE/RFO did not inform the Agencies of this development.

On August 19, 1992 (92-RF-9196) EG&G again requested that DOE/RFO ask for an extension of the RFI/RI Report milestone. A seven month extension was requested. DOE/RFO did not ask the Agencies for an extension at this time.

On September 28, 1992 DOE/RFO sent a letter to EG&G (ERD SG 11335) directing EG&G to examine streamlining the technical approach to the Bedrock investigation in order to mitigate milestone impacts. EG&G began immediately to re-scope the Bedrock program to mitigate IAG milestone impacts.

In the DOE/RFO letter stamped October 14, 1992 (92-DOE-11364), DOE/RFO notified EPA and CDH that the RFI/RI Report milestone of March 12, 1992 would not be met. In addition, DOE/RFO stated that the Bedrock program was not performed in FY92 and that a streamlined technical approach would be implemented to incorporate the findings of the Alluvial program. Also mentioned was presentation of a revised RFI/RI Report schedule in December.

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DOE/RFO and EG&G presented a revised Bedrock field program to EPA and CDH on October 5, 1992 and November 6, 1992 to get their approval on the revised technical approach. During the meetings EPA and CDH informally stated that the revised technical approach was sound, however, the political issue of why the Bedrock program was not funded in FY92 was still of major importance to EPA and CDH concerning potential enforcement action.

On November 19, 1992 I received informal notification from the DOE/RFO Project Manager that EPA and CDH would be initiating an "Enforcement Action" regarding the RFI/RI Report. A letter would be coming from EPA and CDH within the week.

EAD cet

cc  
M B Arndt  
R L Benedetti  
S D Cooke