



ENERGY AND ENVIRONMENT CABINET

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Governor

Department for Environmental Protection
Division of Waste Management
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Leonard K. Peters
Secretary

November 26, 2013

Ms. Rachel Blumenfeld
US Department of Energy
Portsmouth/Paducah Project Site Office
PO Box 1410
Paducah, Kentucky 42002

RE: Approval of the Federal Facility Agreement Milestone Modification for the Proposed Plan for the Burial Grounds Operable Unit Source Areas Solid Waste Management Units 5 and 6 (DOE/LX/07-1275&D2) and Subsequent Documents.

Paducah Gaseous Diffusion Plant
Paducah, McCracken County, Kentucky
KY8-890-008-982

Ms. Blumenfeld:

The Kentucky Division of Waste Management (Division) acknowledges receipt of the DOE's November 18, 2013 Federal Facility Agreement (FFA) Milestone Modification for the D2 *Proposed Plan for the Burial Grounds Operable Unit Source Areas Solid Waste Management Units 5 and 6* and subsequent documents. This 60-day extension is based on the Division's September 30, 2013 extension request and the impact of the 17-day partial government shutdown. In addition, Citizens Advisory Board (CAB) Recommendation 13-07 requests a delay in approval of the D2 Proposed Plan to allow time for a decision to be made concerning potential siting and construction of a Comprehensive Environmental Response, Compensation and Liability (CERCLA) on-site landfill. In accordance with Sections XXIX.B.4 and XXIX.B.6 of the FFA, the Division agrees that good cause exists for this Modification, which is hereby granted.

If you have any questions or require additional information, please contact Gaye Brewer at (270) 898-8468, or e-mail gaye.brewer@ky.gov.

Sincerely,



April J. Webb, P.E., Manager
Hazardous Waste Branch

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Ms. Rachel Blumenfeld

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DWM File: #1100-E, Graybar ARM20130010 (Rev PP for BGOU SWMUs 5 & 6)

DWM File: #505-B; Graybar: AIN20130003 (2013 SMP FFA Mods)

Attachment: Signed FFA Milestone Modification Form

**MODIFICATION TO THE PADUCAH FEDERAL FACILITY AGREEMENT
ACCORDING TO THE TERMS OF SECTION XXXIX**

Modification requested by: Rachel H. Blumenfeld	Date: November 15, 2013
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Requester's Organization: U.S. Department of Energy

Section to be modified: Appendices C and G
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Reason for modification: To modify upcoming Burial Grounds Operable Unit (OU) Solid Waste Management Units (SWMUs) 5 and 6 Federal Facility Agreement (FFA) milestones to allow for the extension of the D1 Record of Decision (ROD), D1 Remedial Design Work Plan, D1 Remedial Design Report, D1 Remedial Action Work Plan, Field Start, and D1 Remedial Action Completion Report by 60 days. The extension is based upon the Kentucky Department for Environmental Protection (KDEP) requests to extend the review time for the <i>Proposed Plan for the Burial Grounds Operable Unit Source Areas at the Paducah Gaseous Diffusion Plant, Kentucky: Solid Waste Management Units 5 and 6</i> , DOE/LX/07-1275&D2, in response to the Citizens Advisory Board's request. DOE and the U.S. Environmental Protection Agency (EPA) agreed to KDEP's 60-day extension request on October 21, 2013. As a result, and in accordance with Section XXIX.B.4 and Section XXIX.B.6 of the FFA, a 60-day milestone extension of the subsequent Burial Grounds OU SWMUs 5 and 6 FFA documents is applicable.

Modification requested:			
<u>Project</u>	<u>Deliverable</u>	<u>Current FFA Date¹</u>	<u>New Date</u>
Burial Grounds OU, SWMUs 5 and 6	D1 ROD	12/27/2013	2/25/2014
Burial Grounds OU, SWMUs 5 and 6	D1 Remedial Design Work Plan	1/26/2014	3/27/2014
Burial Grounds OU, SWMUs 5 and 6	D1 Remedial Design Report	1/26/2015	3/27/2015
Burial Grounds OU, SWMUs 5 and 6	D1 Remedial Action Work Plan	2/25/2015	4/26/2015
Burial Grounds OU, SWMUs 5 and 6	Field Start	9/6/2015	11/5/2015
Burial Grounds OU, SWMUs 5 & 6	D1 Remedial Action Completion Report	3 rd Quarter 2016	4 th Quarter 2016
Notes: ¹ The currently approved FFA dates are based on the milestone modification for Burial Grounds Operable Unit SWMUs 5 and 6, dated August 28, 2013.			

Determination by any one of the three project managers that a modification is major will require that the modification be submitted for public participation to the extent required by DOE's Community Relations Plan under Section XXXIII.

	Major modification?		
	YES	NO	
DOE, Paducah Site Manager's Approval: 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Date: 11/18/2013
KDEP, Division of Waste Management Director's Approval: 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Date: 11/23/13
EPA, Region 4, Remedial Project Manager's Approval:	<input type="checkbox"/>	<input type="checkbox"/>	Date:

Note: Return to DOE after signature for the Administrative Record and to initiate distribution to FFA "Controlled" copies.