



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

Oct.17, 2013

4WD-FFB

Rachel Blumenfeld, Acting Site Lead
United States Department of Energy
P.O. Box 1410
Paducah, Kentucky 42001

Conditional Approval of the Proposed Plan for the Burial Grounds OU, SWMUs 5 & 6 at the Paducah Gaseous Diffusion Plant, Paducah, Kentucky (DOE/LX/07-1275&D2)

Dear Ms. Blumenfeld:

The Environmental Protection Agency (EPA) has reviewed the **Revised Proposed Plan for BGOUs 5 & 6 at the Paducah Gaseous Diffusion Plant, Paducah, Kentucky, DOE/LX/07-1275&D2**. The majority of EPA's comments have been addressed. Overall, DOE (and its contractors) have included language consistent with EPA comments which better reflects the limited data on the buried waste. However, there are a few areas related to the selection process and recommendation of remedy that should be revised for clarity.

In accordance with the Federal Facility Agreement (FFA) Section X.X.I. Finalization of Documents, EPA is issuing a conditional concurrence on this Primary Document. The condition which must be satisfied for EPA concurrence is for the Department of Energy (DOE) to revise this Primary Document as specified in EPA's comments [below]. The revised Proposed Plan (styled as a D2/R1), satisfying the condition set forth above, shall be submitted by the DOE on or before November 17, 2013 for EPA approval.

The following seven Conditions are part of EPA's approval of this D2:

1. **Introduction, 2nd column, 1st paragraph, Page 3** – Revise as follows: “Thus, there is uncertainty in the magnitude of potential risk and hazard that could be posed by direct contact with the buried low level radioactive waste (LLW) and contaminated soil. The wastes at SWMU 5 are considered low level threat waste, as opposed to principal threat wastes, consistent with EPA guidance. [Reference page 16 text box]”
2. **Introduction, 2nd column, 2nd paragraph, Page 3** – Revise as follows: “Thus, there is uncertainty in the magnitude of potential risk and hazard that could be posed by direct contact with the buried LLW and contaminated soil. The wastes at SWMU 6 are considered low level threat waste, as opposed to principal threat wastes, consistent with EPA guidance. [Reference page 16 text box]”

3. **Introduction, 1st column, 3rd paragraph, Page 4** – Revise as follows: “Knowledge of the waste based upon available disposal records and limited sampling indicates that the waste in both SWMUs is considered low-level threat waste consistent with EPA guidance that the FFA parties believe can be safely contained in place.”
4. **Introduction, 2nd column, 1st paragraph, Page 4** – Revise as follows: “LUCs consist of the following administrative, information and proprietary controls: E/PP Program, warning signs, property record notices, and contingent deed/lease restrictions. A Land Use Control Implementation Plan will be prepared after the ROD for EPA and KDEP approval, which details the requirements for implementing, monitoring, enforcement and reporting of these LUCs.”
5. **Nature and Extent of contamination, 2nd column, SWMU 5 and SWMU 6, Page 7** – Revise as follows: “However, transport modeling is uncertain due to limited sampling data for the buried LLW and contaminated soil.”
6. **Preferred Alternative, 1st column, 2nd paragraph, Page 13** – Revise as follows: “Knowledge of the waste based upon available disposal records and limited sampling indicates that the waste in both SWMUs is considered low-level threat waste consistent with EPA guidance that the FFA parties believe can be safely contained in place.”
7. **Preferred Alternative, 2nd column, 4th paragraph, Page 13** – Not sure this containment remedy use any alternative treatment technology or resource recovery technology. Revise sentence accordingly to indicate that the selected remedy will not satisfy that statutory preference.

If you have any questions or require additional information, please contact me at (404) 562-8648.

Sincerely,



Jon Richards
Remedial Project Manager
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