



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

September 19, 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 Submittal of the D1 Decontamination and Decommissioning Operable Unit Completion Notification Letter

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 August 29, 2013 Federal Facility Agreement (FFA) Milestone Modification for the D1 Decontamination and Decommissioning Operable Unit Completion Notification Letter. This milestone modification request assigns the submittal date for D1 D&D OU Completion Notification letter to June 30, 2015 and adds a milestone date of December 31, 2013 for submittal of the D1 Removal Action Report for the C-340 Complex.

The Division agrees to extend the milestone in question from the current enforceable date of September 30, 2013 to June 30, 2015. It should be noted that this is the final extension request that will be granted for this milestone.

If you have any questions or require additional information, please contact Todd Mullins at (502) 564-6716, or e-mail todd.mullins@ky.gov.

Sincerely,



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

AJW:tm:gb:lww

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Ms. Rachel Blumenfeld
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DWM File: #1090-C, Graybar ARM20160001 (C-340 Complex RACR)

DWM File: #1090-E, Graybar ARM20140002 (C-410 Building RACR)

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: August 22, 2013
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Requester's Organization:
U.S. Department of Energy

Section to be modified:
Appendices C and G

Reason for modification: On June 26, 2013, the U.S. Department of Energy (DOE) received its funding allotment for fiscal year (FY) 2013. In accordance with Section XVIII.D.3.a.4 of the Federal Facility Agreement (FFA), DOE evaluated all projects scheduled for FY and FY +1 (FY 2013 and FY 2014) to determine if there was sufficient funding to complete the proposed work for the Paducah site. Based upon the evaluation, DOE determined that it would be able to meet all the regulatory commitments for FY 2013 and FY 2014, with the exception of the enforceable milestone for the Decontamination and Decommissioning Operable Unit (D&D OU) D1 Completion Notification Letter for C-410. As discussed with the FFA Managers during recent FFA Manager project meetings, completion of the D&D OU D1 Completion Notification Letter (C-410) milestone has been impacted by the changing technical conditions associated with asbestos and transite removal that have resulted in a significant increase in project cost (approximately \$8.0M).

In addition to the changes in technical conditions, the project also has realized budgetary impacts in FY 2013 associated with continuing resolution and sequestration. These budgetary impacts have resulted in significant delays to the project schedule for C-410 in FY 2013. Although C-340 also experienced project delays, DOE completed D&D activities associated with C-340 in FY 2013. As a result, and in accordance with Section XVIII.D.3.a.4 and XVIII.D.3.a.6 of the FFA, DOE is requesting that the enforceable milestone date for the D1 D&D OU Completion Notification Letter (C-410) be extended from September 20, 2013, to June 30, 2015. In addition to extending the enforceable milestone date for the D1 D&D OU Completion Notification Letter (C-410), DOE is proposing that a new milestone be established with a date of December 31, 2013, for the D1 D&D OU Removal Action Report for C-340. This new milestone is being offered to reaffirm DOE's continued commitment to making progress with D&D activities at the Paducah Site.

- Modification requested:**
1. Revise Appendix C—Current Year Timetables and Deadlines to delete the current FY 13 enforceable milestone for the D1 D&D OU Completion Notification Letter (C-410)
 2. Modification of enforceable milestones for D1 D&D OU Removal Action Report (C-340) and D1 D&D OU Completion Notification Letter (C-410):

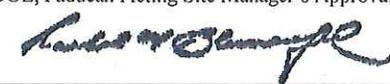
<u>Project</u>	<u>Deliverable</u>	<u>Current FFA Date¹</u>	<u>Proposed Date</u>
D&D OU Disposition of Inactive Facilities at PGDP	D1 Removal Action Report (C-340)	None	12/31/2013
D&D OU Disposition of Inactive Facilities at PGDP	D1 D&D OU Completion Notification Letter (C-410)	9/30/2013	6/30/2015

Notes:
¹The currently approved FFA dates are based upon the D2 FY 2013 Site Management Plan, DOE/LX/07-1284&D2.

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

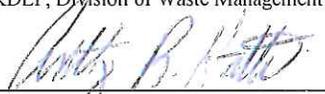
DOE, Paducah Acting Site Manager's Approval:



YES NO

Date:
8/29/13

KDEP, Division of Waste Management Director's Approval:



YES NO

Date:
9/19/13

EPA, Region 4, Remedial Project Manager's Approval:

YES NO

Date: