



ENERGY AND ENVIRONMENT CABINET

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Governor

Leonard K. Peters
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Division of Waste Management
200 Fair Oaks, 2nd Floor
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May 13, 2014

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

RE: Approval of the Federal Facility Agreement Milestone Modification for the D1 Proposed Plan for CERCLA Waste Disposal Alternatives Evaluation and Subsequent Documents
Paducah Gaseous Diffusion Plant
Paducah, McCracken County, Kentucky
KY8-890-008-982

Ms. Blumenfeld:

The Kentucky Division of Waste Management (Division) has received the DOE's Federal Facility Agreement (FFA) Milestone Modification for the D1 *Proposed Plan for CERCLA Waste Disposal Alternatives Evaluation*, dated May 8, 2014. This request seeks to extend the submittal date for the D1 Proposed Plan by 85 days, from May 9, 2014 to August 2, 2014. This extension is necessary as approval of the Remedial Investigation/Feasibility Study (RI/FS) Report is a prerequisite for submittal of a D1 Proposed Plan. In accordance with the 2014 Site Management Plan, the Proposed Plan will be due 45 days after approval of the RI/FS Report. Based up on this realignment, the revised submittal date for the D1 Proposed Plan is August 2, 2014. In accordance with FFA Sections XXIX.B.4 and XXIX.B.6, the Division hereby approves this milestone modification. The revised submittal date for the D1 Proposed Plan is August 2, 2014.

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

Sincerely,

Bill Schneider

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

AJW:tm:lww

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DWM File: #1040; Graybar: ARM20140008 (CERCLA WDAE Proposed Plan)

DWM File: #505-B; Graybar: AIN20140002 (2014 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: May 8, 2014	
Requester's Organization: U.S. Department of Energy			
Section to be modified: Appendices C and G			
<p>Reason for modification: To modify upcoming Waste Disposal Alternatives (WDA) Evaluation Federal Facility Agreement (FFA) milestones to allow for extension of the D1 Proposed Plan, D1 Record of Decision, D1 Remedial Design Work Plan, D1 Remedial Design Report, and D1 Remedial Action Work Plan by 91 days. On October 23, 2014, and March 19, 2014, the U.S. Department of Energy (DOE) received conditional concurrence on the <i>Remedial Investigation/Feasibility Study Report for CERCLA Waste Disposal Alternatives Evaluation at the Paducah Gaseous Diffusion Plant, Paducah, Kentucky</i>, DOE/LX/07-0244&D2, (RI/FS) from the Kentucky Department for Environmental Protection (KDEP) and the U.S. Environmental Protection Agency (EPA), respectively. Based upon this conditional concurrence, resubmittal of the RI/FS Report (D2/R1) is due to EPA and KDEP no later than May 19, 2014.</p> <p>The FFA establishes a sequenced process whereby finalization (approval) of the feasibility study (for this project the RI/FS) is a necessary prerequisite for the submittal of a D1 Proposed Plan. With the submittal of a RI/FS Report (D2/R1) by May 19, 2014, the current assumed date for the finalization (approval) of the RI/FS Report is no longer valid and is now expected to be June 18, 2014. The D1 Proposed Plan is due 45 days after the approval of the RI/FS Report. As a result, an 85-day extension is necessary to realign the submittal date of the D1 Proposed Plan and subsequent WDA Evaluation FFA documents with the expected finalization (approval) of the RI/FS Report (D2/R1). Based upon this realignment, the submittal date for the D1 Proposed Plan would be by August 2, 2014. In accordance with Sections XXIX.B.4 and XXIX.B.6 of the FFA, good cause exists for this 85-day milestone extension of the D1 Proposed Plan and the subsequent documents associated with the WDA Evaluation.</p>			
Modification requested:			
<u>Project</u>	<u>Deliverable</u>	<u>Current FFA Date¹</u>	<u>Proposed Date</u>
Waste Disposal Alternatives Evaluation	D1 Proposed Plan	5/09/2014	8/02/2014
Waste Disposal Alternatives Evaluation	D1 ROD	12/20/2014	3/15/2015
Waste Disposal Alternatives Evaluation	D1 Remedial Design Work Plan	3/23/2015	6/16/2015
Waste Disposal Alternatives Evaluation	D1 Remedial Design Report	1 st Quarter FY 17 ²	2 ND Quarter FY 17 ²
Waste Disposal Remedial Action	D1 Remedial Action Work Plan	1st Quarter FY 17 ²	2 ND Quarter FY 17 ²
Notes:			
¹ The current FFA dates are based on the milestone modification for WDA Evaluation dated March 19, 2014.			
² Indicates a planning date.			

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?		Date:
	YES	NO	
DOE, Paducah Acting Site Manager's Approval: 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5-8-2014
KDEP, Division of Waste Management Director's Approval: 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5/12/14
EPA, Region 4, Remedial Project Manager's Approval:	<input type="checkbox"/>	<input type="checkbox"/>	

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