



## ENERGY AND ENVIRONMENT CABINET

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Governor

Leonard K. Peters  
Secretary

Department for Environmental Protection  
Division of Waste Management  
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January 8, 2015

Ms. Jennifer Woodard, Site Lead  
Portsmouth/Paducah Project Site Office  
US Department of Energy  
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. Woodard:

The Kentucky Division of Waste Management (Division) acknowledges receipt of the DOE's January 5, 2015 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 extension is based on the Division's December 9, 2014 request that its deadline for responding to the D2 Proposed Plan for SWMUs 5 and 6 be extended until such time as the Waste Disposition Alternatives (WDA) project Record of Decision has been approved.

Consistent with its previous letters, the Division continues to assert that it is premature to finalize the Proposed Plan for SWMUs 5 and 6 prior to WDA ROD signature. 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](mailto:gaye.brewer@ky.gov).

Sincerely,



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

AJW:tm:gb:lww

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Ms. Jennifer Woodard

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

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:**  
Jennifer Woodard

**Date:** January 5, 2015

**Requester's Organization:**  
U.S. Department of Energy

**Section to be modified:**  
Appendices C and G

**Reason for modification:** To modify upcoming Burial Grounds Operable Unit (BGOU) Solid Waste Management Units (SWMUs) 5 and 6 Federal Facility Agreement (FFA) milestones to allow for extension of the D1 Record of Decision, D1 Remedial Design Work Plan, D1 Remedial Design Report, D1 Remedial Action Work Plan, Field Start, and D1 Remedial Action Completion Report by 45 days. On October 17, 2013, the U.S. Environmental Protection Agency (EPA) provided conditional concurrence on the *Proposed Plan for the Burial Grounds Operable Unit Source Areas at the Paducah Gaseous Diffusion Plant, Kentucky: Solid Waste Management Units 5 and 6*, DOE/LX/07-1275&D2 (D2 Proposed Plan). On December 9, 2014, the Kentucky Department for Environmental Protection (KDEP), in accordance with Section XXIX.B.6 of the FFA, requested an additional 45 days to review and respond to the D2 Proposed Plan, extending KDEP's comment review period from December 11, 2014, to January 26, 2015. As a result of KDEP's extension request, which extends the period of review for the subject document, the U.S. Department of Energy's resubmittal of the document or invocation of dispute in response to EPA conditions also is extended until after such time that KDEP issues a letter of concurrence, nonconcurrence, or conditional concurrence on the subject document and the period of review terminates.

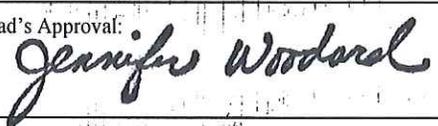
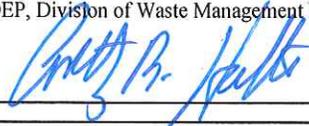
Based on KDEP's extension, and in accordance with Section XXIX.B.4 of the FFA, good cause exists for this 45-day milestone extension of the subsequent documents associated with BGOU SWMUs 5 and 6.

**Modification requested:**

<u>Project</u>	<u>Deliverable</u>	<u>Current FFA Date</u> <sup>1</sup>	<u>New Date</u>
BGOU 5 and 6	D1 ROD	3/8/2015	4/22/2015
BGOU 5 and 6	D1 Remedial Design Work Plan	4/7/2015	5/22/2015
BGOU 5 and 6	D1 Remedial Design Report	4/7/2016	5/22/2016
BGOU 5 and 6	D1 Remedial Action Work Plan	5/7/2016	6/21/2016
BGOU 5 and 6	Field Start	11/16/2016	12/31/2016
BGOU 5 and 6	D1 Remedial Action Completion Report	2 <sup>nd</sup> Quarter 2018 <sup>2</sup>	2 <sup>nd</sup> Quarter 2018 <sup>2</sup>

**Notes:**  
<sup>1</sup> The currently approved FFA dates are based on the milestone modification for BGOU SWMUs 5 and 6, dated November 18, 2014.  
<sup>2</sup> 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.

DOE, Paducah Site Lead's Approval: 	Major modification? YES      NO	Date: 1-5-15
KDEP, Division of Waste Management Director's Approval: 	<input type="checkbox"/> <input checked="" type="checkbox"/>	Date: 1/8/15
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.