



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

March 20, 2015

Ms. Jennifer Woodard, Site Lead
Portsmouth/Paducah Project Site Office
US Department of Energy
5501 Hobbs Road
Kevil, 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 March 13, 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 DOE's February 24, 2015 verbal request to extend the deadline to invoke informal dispute by 30 days. The extension was verbally approved by both the Division and the EPA on the same day.

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,

Bill Schneider

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

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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

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

Modification requested by: Jennifer Woodard	Date: March 4, 2015		
Requester's Organization: U.S. Department of Energy			
Section to be modified: Appendices C and G			
<p>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 30 days. The U.S. Department of Energy (DOE) received conditional concurrence on 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, (Proposed Plan) from the U.S. Environmental Protection Agency (EPA) and the Kentucky Department for Environmental Protection (KDEP) on October 17, 2013, and January 26, 2015, respectively. KDEP's conditions included the addition of an Environmental Covenant under <i>KRS 224.80-100 et seq.</i> and the identification of that statute as an applicable or relevant and appropriate requirement (ARAR). On February 24, 2015, DOE made a verbal request to the FFA Project Managers to extend the deadline to submit the D2/R1 Proposed Plan or invoke informal dispute resolution from February 25, 2015, to March 27, 2015. This extension was approved verbally by EPA and KDEP on February 24, 2015.</p> <p>Based upon the FFA Project Managers' February 24, 2015 agreement, and in accordance with Section XXIX.B.4 of the FFA, good cause exists for this 30-day milestone extension of the subsequent documents associated with BGOU SWMUs 5 and 6.</p>			
Modification requested:			
<u>Project</u>	<u>Deliverable</u>	<u>Current FFA Date¹</u>	<u>New Date</u>
BGOU 5 and 6	D1 ROD	4/22/2015	5/22/2015
BGOU 5 and 6	D1 Remedial Design Work Plan	5/22/2015	6/21/2015
BGOU 5 and 6	D1 Remedial Design Report	5/22/2016	6/21/2016
BGOU 5 and 6	D1 Remedial Action Work Plan	6/21/2016	7/21/2016
BGOU 5 and 6	Field Start	12/31/2016	1/30/2017
BGOU 5 and 6	D1 Remedial Action Completion Report	2 nd Quarter 2018 ²	3 rd Quarter 2018 ²
Notes:			
¹ The currently approved FFA dates are based on the milestone modification for BGOU SWMUs 5 and 6, dated January 5, 2015.			
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.

<p>DOE, Paducah Site Lead's Approval:</p> <div style="border: 1px solid black; padding: 5px; min-height: 40px;"> </div>	<p>Major modification?</p> <p>YES NO</p>	<p>Date:</p> <div style="border: 1px solid black; padding: 5px; min-height: 40px;"> <p align="center">3/13/15</p> </div>
<p>KDEP, Division of Waste Management Director's Approval:</p> <div style="border: 1px solid black; padding: 5px; min-height: 40px;"> </div>	<p><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p>	<p>Date:</p> <div style="border: 1px solid black; padding: 5px; min-height: 40px;"> <p align="center">3/20/15</p> </div>
<p>EPA, Region 4, Remedial Project Manager's Approval:</p> <div style="border: 1px solid black; padding: 5px; min-height: 40px;"> </div>	<p><input type="checkbox"/> YES <input type="checkbox"/> NO</p>	<p>Date:</p> <div style="border: 1px solid black; padding: 5px; min-height: 40px;"> </div>

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