



## ENERGY AND ENVIRONMENT CABINET

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Leonard K. Peters  
Secretary

September 30, 2015

Ms. Jennifer Woodard  
US Department of Energy  
Portsmouth/Paducah Project Site Office  
5501 Hobbs Road  
Paducah, Kentucky 42053

**RE: Conditional Concurrence to the Explanation of Significant Differences to the Record of Decision for the Interim Remedial Action of the Northeast Plume (DOE/LX/07-1291&D2/R1)**

Paducah Gaseous Diffusion Plant  
Paducah, McCracken County, Kentucky  
KY8-890-008-982

Ms. Woodard:

Attached please find Kentucky's conditions on the D2/R1 Explanation of Significant Differences to the Record of Decision for the Interim Remedial Action of the Northeast Plume (DOE/LX/07-1291&D2/R1), which was received electronically on August 30, 2015. The Cabinet for Health and Family Services (CHFS) did not have any additional comments on the document. Please submit a revised D2/R2 ESD pursuant to section XX.I of the FFA, no later than 30-days from receipt of this letter (October 30, 2015).

If you have any questions or require additional information, please contact Brian Begley (859) 576-8641, or e-mail at [Brian.begley@ky.gov](mailto:Brian.begley@ky.gov).

Sincerely,



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

AJW:bb:lww

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DWM File: #1210-D; Graybar: ARM20130011 (NE Plume ROD-ESD)

**Kentucky Division of Waste Management Comments to the  
Explanation of Significant Differences to the Record of Decision for the Interim Remedial  
Action of the Northeast Plume at the Paducah Gaseous Diffusion Plant**

**DOE/LX/07-1291&D2/R1**

**September 30, 2015**

**General Conditions:**

**1. MOA linkage to ESD:**

The overall connection between the requirements set forth in the Memorandum of Agreement for Resolution and the ESD is not well established in the document. Kentucky was unable to locate a statement in the ESD that made the complete connection to the MOA for Resolution. Instead, the ESD appears to emphasize certain sections of the MOA and not mention other sections at all. Please add a sentence, preferably towards the beginning of the ESD, that establishes a better relation with the MOA for Resolution and the ESD. Also consider providing a hyperlink within the document to the MOA for Resolution, especially if DOE does not intend to incorporate it (completely) into the ESD.

**2. Reference to installation of 18 MWs:**

This report contains multiple references implying that 18 MWs will be installed “to evaluate performance and effectiveness of the optimized EWs.” The references are confusing and misleading. Kentucky acknowledges that referencing 18 MWs may be applicable for budgeting and planning scenarios, but does not recognize 18 MWs as an agreed upon value that would constrain future technical discussions regarding the placement and number of monitoring wells necessary to evaluate performance and effectiveness of the optimized wells. Furthermore, modifications to the ESD were to be reflective of the MOA for Resolution. Kentucky cannot find reference to the 18 MWs in the D1 or D2 ESD, nor can it locate 18 MWs within the agreed upon language of the MOA for Resolution. Remove all references to the number (18) regarding MWs. Removing the number of MWs is consistent with conversations and meetings held after the issuance of the MOA for Resolution, where DOE conveyed that the actual number of MWs is yet to be determined.

**Specific Conditions:**

**1. Executive Summary, 1<sup>st</sup> bullet, Page xi:**

The new language in this bullet is directly linked to section three of the MOA for Resolution; however, a key provision is missing. Please add language to reflect that the FFA parties will consider adjustments once criteria (specified in the MOA) are met.

**2. Executive Summary, 1<sup>st</sup> bullet, Page xi:**

The MOA for Resolution is mentioned for the first time in the Executive Summary Section in the 4<sup>th</sup> bullet. Clarify the details of the MOA to include the entire name and date of finalization, along with a citation reference. For additional occurrences in the ESD it will be acceptable to use the abbreviated designation ‘MOA for Resolution,’ once it has been properly introduced.

**3. Section 1.3, Page 4, last paragraph:**

This paragraph tries to link the D2/R1 ESD (referred to in the text as “this ESD”) with the 2013 D2 RAWP, which is confusing. Both documents are currently being reviewed as D2/R1 versions. Please clarify and fix the wording and/or the cited reference; which currently specifies the D2 version of the RAWP as being a 2015 document. Perhaps the references need to be updated to reflect the D2/R1 version, otherwise Kentucky does not understand DOE’s intent for the reference to a D2 document that has already been revised and is currently under regulatory review.

**4. Section 4.2.7, Page 16:**

“... optimized IRA operations will be initiated consistent with the approved operation and maintenance plan.” The most recent Operation and Maintenance (O&M) version D3/R4 (approved) does not cover optimized IRA operations. The only mention of optimization occurs in the following paragraph in the D3/R4 O&M Plan “*The intent of this O&M plan revision is to provide an updated plan that can be used to guide operation, under the current configuration, from shutdown of the cooling towers (and incorporation of the ATU) until installation and startup of the optimized NEPCS. An explanation of significant differences has been prepared that documents the changes recently made to the NEPCS and the planned optimization of the NEPCS with a new extraction well field, additional treatment capacity, and other system changes. A new O&M Plan will be developed in the future to address NEPCS optimization.*” When is DOE planning to submit an updated O&M plan that will address optimized IRA operations? The current project schedule presented in the d2/R1 RAWP does not provide a date for an O&M Plan revision. Revise the ESD language so that it does not reference an O&M Plan that does not even address optimized IRA operations.

--End of Kentucky Comments--