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**Department of Energy**

Oak Ridge Operations  
Paducah Site Office  
P.O. Box 1410  
Paducah, KY 42001

February 5, 2002

Mr. Carl R. Froede Jr., P.G.  
United States Environmental Protection Agency  
Region IV  
DOE Remedial Section  
Federal Facilities Branch  
Waste Management Division  
61 Forsyth Street  
Atlanta, Georgia 30303

Mr. Michael V. Welch, P.E.  
Manager  
Hazardous Waste Branch  
Kentucky Department for Environmental Protection  
14 Reilly Road, Frankfort Office Park  
Frankfort, Kentucky 40601

Dear Mr. Froede and Mr. Welch:

**REQUEST FOR MODIFICATION TO APPENDIX C AND APPENDIX G OF THE  
FEDERAL FACILITY AGREEMENT FOR SUBMITTAL DATES OF THE D1 RECORD  
OF DECISION AND OTHER DECISION DOCUMENTS FOR THE GROUNDWATER  
OPERABLE UNIT RECORD OF DECISION 1, C-720 AREA, PADUCAH GASEOUS  
DIFFUSION PLANT, PADUCAH, KENTUCKY**

This letter requests a modification of the Federal Facility Agreement (FFA) deliverable date for the submittal of the Groundwater Operable Unit (GWOU) Record of Decision (ROD) 1 from November 21, 2001, to January 17, 2002, and other decision documents, in accordance with FFA Section XXIX.

On November 9, 2001, the Department of Energy (DOE) submitted an extension request, with good cause, proposing that each of the six GWOU ROD 1 milestone dates be extended approximately six weeks. The Kentucky Department for Environmental Protection (KDEP) replied on December 3, 2001, and the U.S. Environmental Protection Agency (EPA), Region IV, replied on December 14, 2001, denying DOE this extension. DOE responded on December 20, 2001, with an invocation of informal dispute. On January 11, 2002, a GWOU Core Team teleconference was conducted to resolve the informal dispute. DOE, KDEP, and EPA agreed to accept the extension of the proposed dates with the exception of the ROD signature date. The

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ROD signature date will remain as April 23, 2002. Proposed dates for the other decision documents and remedial action field mobilization are provided on the enclosed modification forms. At the end of this meeting, the informal dispute was resolved by consensus from DOE, EPA, and KDEP. DOE also agreed to provide EPA and KDEP with the milestone dates for the field-start of the C-720 and Solid Waste Management Unit 1 remedial actions in fiscal year 2004.

The enclosed modification forms, prepared in accordance with Section XXXIX of the FFA, reflect changes to enforceable milestone dates for the D1 ROD 1 submittal and for other affected documents. Please execute the forms and return them to DOE for inclusion in the Administrative Record File. If you have any questions or need additional information, please contact Gary Bodenstein at (270) 441-6831.

Sincerely,



W. Don Seaborg, Site Manager  
Paducah Site Office

Enclosures

cc:

DMC/Kevil

G. L. Dover, BJC/Kevil

M. A. Gage, BJC/Kevil

C. A. Hudson, CJE/Kevil

C. S. Jones, BJC/Kevil

J. W. Morgan, BJC/Kevil

T. J. Wheeler, BJC/Kevil

P. W. Willison, BJC/Oak Ridge

**MODIFICATION TO THE PADUCAH FEDERAL FACILITY AGREEMENT**  
according to the terms of Section XXXIX.

| <b>Modification requested by:</b><br>W. Don Seaborg   | <b>Date:</b><br>01/17/02 |                         |                      |                         |                      |                    |        |          |          |                    |          |          |          |
|---|--------------------------|-------------------------|----------------------|-------------------------|----------------------|--------------------|--------|----------|----------|--------------------|----------|----------|----------|
| <b>Requester's Organization:</b><br>Department of Energy  |                          |                         |                      |                         |                      |                    |        |          |          |                    |          |          |          |
| <b>Section to be modified:</b><br>Appendix C  |                          |                         |                      |                         |                      |                    |        |          |          |                    |          |          |          |
| <b>Reason for modification:</b><br>Reflect Schedule Adjustment  |                          |                         |                      |                         |                      |                    |        |          |          |                    |          |          |          |
| <b>Modification requested:</b>  |                          |                         |                      |                         |                      |                    |        |          |          |                    |          |          |          |
| <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align:left;"><u>Project</u></th> <th style="text-align:left;"><u>Deliverable</u></th> <th style="text-align:left;"><u>Current FFA Date</u></th> <th style="text-align:left;"><u>Proposed Date</u></th> </tr> </thead> <tbody> <tr> <td>GWOU ROD 1 (C-720)</td> <td>D1 ROD</td> <td>11/21/01</td> <td>01/17/02</td> </tr> <tr> <td>GWOU ROD 1 (C-720)</td> <td>D1 RD WP</td> <td>05/24/02</td> <td>07/12/02</td> </tr> </tbody> </table> <p>The current Federal Facility Agreement (FFA) dates are based on the approval of the previous modification form dated February 20, 2001. This modification is necessary as a result of additional time requested by the U.S. Environmental Protection Agency (EPA) letter, dated September 13, 2001, to review and comment on the D2 Proposed Remedial Action Plan (PRAP) for ROD 1.</p> <p>The proposed date reflects changes to the enforceable deadline in the FFA, which would be affected by additional time for regulator review and comment on the D2 and D2/R1 PRAP for the GWOU ROD 1.</p> |                          | <u>Project</u>          | <u>Deliverable</u>   | <u>Current FFA Date</u> | <u>Proposed Date</u> | GWOU ROD 1 (C-720) | D1 ROD | 11/21/01 | 01/17/02 | GWOU ROD 1 (C-720) | D1 RD WP | 05/24/02 | 07/12/02 |
| <u>Project</u>  | <u>Deliverable</u>       | <u>Current FFA Date</u> | <u>Proposed Date</u> |                         |                      |                    |        |          |          |                    |          |          |          |
| GWOU ROD 1 (C-720)  | D1 ROD                   | 11/21/01                | 01/17/02             |                         |                      |                    |        |          |          |                    |          |          |          |
| GWOU ROD 1 (C-720)  | D1 RD WP                 | 05/24/02                | 07/12/02             |                         |                      |                    |        |          |          |                    |          |          |          |

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.

|   |  | <b>Major modification?</b> |                                     |       |
|---|--|----------------------------|-------------------------------------|-------|
|   |  | YES                        | NO                                  |       |
| DOE, Paducah Site Manager's Approval:               |  | <input type="checkbox"/>   | <input checked="" type="checkbox"/> | Date: |
| KDEP, Div of Waste Mgmt Director's Approval:        |  | <input type="checkbox"/>   | <input type="checkbox"/>            | Date: |
| 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. 3

**MODIFICATION TO THE PADUCAH FEDERAL FACILITY AGREEMENT**  
according to the terms of Section XXXIX..

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| <b>Modification requested by:</b><br>W. Don Seaborg  |                    | <b>Date:</b><br>01/17/02 |                      |
| <b>Requester's Organization:</b><br>Department of Energy   |                    |                          |                      |
| <b>Section to be modified:</b><br>Appendix G   |                    |                          |                      |
| <b>Reason for modification:</b><br>Reflect Schedule Adjustment   |                    |                          |                      |
| <b>Modification requested:</b>   |                    |                          |                      |
| <u>Project</u>   | <u>Deliverable</u> | <u>Current FFA Date</u>  | <u>Proposed Date</u> |
| GWOU ROD 1 (C-720)   | D1 RD Report       | 09/17/02                 | 11/05/02             |
| GWOU ROD 1 (C-720)   | D1 RA WP           | 10/02/02                 | 11/20/02             |
| GWOU ROD 1 (C-720)   | RA Field Mob       | 03/31/03                 | 05/19/03             |
| <p>The current Federal Facility Agreement (FFA) dates are based on the approval of the previous modification form dated February 20, 2001. These modifications are a result of additional time requested by the U.S. Environmental Protection Agency (EPA) letter, dated September 13, 2001, to review and comment on the D2 Proposed Remedial Action Plan (PRAP) for ROD 1.</p> <p>The proposed dates reflect changes to enforceable deadlines in the FFA, which would be affected by extension of the submittal of the GWOU D1 ROD 1 on January 9, 2002.</p> |                    |                          |                      |

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                                  | Date: |
| DOE, Paducah Site Manager's Approval:               | <input type="checkbox"/> | <input checked="" type="checkbox"/> |       |
| KDEP, Div of Waste Mgmt Director's Approval:        | <input type="checkbox"/> | <input type="checkbox"/>            |       |
| EPA, Region 4, Remedial Project Manager's Approval: | <input type="checkbox"/> | <input type="checkbox"/>            |       |

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