

**RECEIVED**

By beauchampd at 12:48 pm, Feb 27, 2012



**Department of Energy**

Portsmouth/Paducah Project Office  
1017 Majestic Drive, Suite 200  
Lexington, Kentucky 40513  
(859) 219-4000

**DEC 13 2010**

Mr. W. Turpin Ballard, Remedial Project Manager  
U.S. Environmental Protection Agency Region 4  
Federal Facilities Branch  
61 Forsyth Street  
Atlanta, Georgia 30303

PPPO-02-1088015-11

Mr. Edward Winner, FFA Manager  
Kentucky Department for Environmental Protection  
Division of Waste Management  
200 Fair Oaks Lane, 2nd Floor  
Frankfort, Kentucky 40601

Dear Mr. Ballard and Mr. Winner:

**PADUCAH FEDERAL FACILITY AGREEMENT – RESOLUTION OF THE  
DEPARTMENT OF ENERGY NOTIFICATION OF INVOCATION OF INFORMAL  
DISPUTE ON THE PROPOSED MILESTONE MODIFICATION REQUEST FOR  
SUBMITTAL OF THE D1 PROPOSED PLAN AND SUBSEQUENT DOCUMENTS FOR  
THE BURIAL GROUNDS OPERABLE UNIT AT THE PADUCAH GASEOUS  
DIFFUSION PLANT (DOE/LX/07-0347&D1)**

Please find enclosed the signed Resolution for the referenced informal dispute. The U.S. Department of Energy (DOE) appreciates the U.S. Environmental Protection Agency and the Commonwealth of Kentucky's efforts and willingness to work with DOE to reach consensus on the path forward for this project.

If you have any questions or require additional information, please contact Jeff Snook at (270) 441-6814.

Sincerely,

A handwritten signature in black ink, appearing to read "Reinhard Knerr", written over the word "Sincerely,".

Reinhard Knerr  
Paducah Site Lead  
Portsmouth/Paducah Project Office

Enclosure:  
MOA for Resolution

ENV 1.A-00080

cc:

DMC/Kevil

e-copy:

ballard.turpin@epa.gov, EPA/Atlanta  
barbara.mazurowski@lataky.com, LATA/Kevil  
daniel.yaeger@lex.doe.gov, PPPO/PAD  
edward.winner@ky.gov, KDEP/Frankfort  
jeff.snook@lex.doe.gov, PPPO/PAD  
jeffrey.gibson@ky.gov, KDEP/Frankfort  
leo.williamson@ky.gov, KDEP/Frankfort  
myrna.redfield@lataky.com, LATA, Kevil  
nathan.brown@ky.gov, KDEP/Frankfort  
reinhard.knerr@lex.doe.gov, PPPO/PAD  
rob.seifert@lex.doe.gov, PPPO/PAD  
stephanie.brock@ky.gov, KDEP/Frankfort  
todd.mullins@ky.gov, KDEP/Frankfort  
todd.struttman@lataky.com, LATA/Kevil  
tufts.jennifer@epa.gov, EPA/Atlanta

**MEMORANDUM OF AGREEMENT FOR RESOLUTION  
of Informal Dispute for the Proposed Milestone Modification Request for Submittal  
of the D1 Proposed Plan and Subsequent Documents for the Burial Grounds  
Operable Unit at the Paducah Gaseous Diffusion Plant**

The undersigned agree that the Informal Dispute invoked by the U.S. Department of Energy (DOE) in the letter to the U.S. Environmental Protection Agency (EPA) and the Kentucky Department for Environmental Protection (KDEP), dated November 9, 2010, is hereby resolved. The resolution establishes the following submittal dates for Burial Ground OU project Primary Documents.

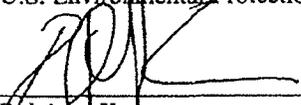
D1 Proposed Plan	2/28/11
D1 Record of Decision (ROD)	12/16/11
D1 Remedial Design Work Plan	3/12/12
D1 Remedial Action Completion Report	9/30/19

- In accordance with Section XXXIX of the PGDP Federal Facility Agreement (FFA), the Parties shall modify Appendix C and Appendix G of the FFA to incorporate the above agreed-to due dates.
- In the event EPA and KY extend their review period for 30 days for the review of the D2 Feasibility Study under Section XX.G.2, DOE agrees not to request a corresponding extension to the Proposed Plan and subsequent CERCLA documents.

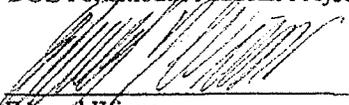
Nothing in this Memorandum of Agreement modifies the FFA Conditions, for example related to review and comment on Primary Documents, Extension Requests, and Dispute Resolution except as specifically stated above.

  
 \_\_\_\_\_  
 Turpin Ballard  
 PGDP FFA Manager  
 U.S. Environmental Protection Agency, Region 4

12/13/10  
 Date

  
 \_\_\_\_\_  
 Reinhard Knerr  
 PGDP FFA Manager, Paducah Site Lead  
 DOE Portsmouth/Paducah Project Office

12/13/10  
 Date

  
 \_\_\_\_\_  
 Edward Winner  
 PGDP FFA Manager  
 Division of Waste Management  
 Kentucky Department for Environmental Protection

12/13/10  
 Date