



OAK RIDGE ACCELERATED CLEANUP PLAN AGREEMENT

June 2002

TABLE OF CONTENT

	Page
Purpose	3
Decision Making Process	4
FFA Milestone Resolution	5
Action to Complete Accelerated Cleanup Plan	7
Commitment to Future Streamlining Activities	9
Outstanding Issues	11
Signature Page.....	12

PURPOSE

The purposes of this Agreement are to describe a streamlined decision making process to facilitate the accelerated implementation of cleanup, to resolve the current Oak Ridge Reservation Federal Facility Agreement milestone dispute and to establish future actions needed to complete the accelerated cleanup plan.

On March 11, 2002, DOE Oak Ridge Operations submitted a Comprehensive Closure Plan to accelerate the completion of the Environmental Management Program by 5 years and to reduce costs by over \$2 billion. Major initiatives to achieve risk reduction include the closure of East Tennessee Technology Park, completion of the activities in the Melton Valley Interim Record of Decision, and legacy waste disposition, which will be completed years ahead of schedule. This acceleration means the reduction of the principal release threats in a manner that will result in the reduction of cost and schedule.

The streamlined decision making process and the anticipated funding increase will be incorporated into the Lifecycle Baseline. Compliance with the Federal Facility Agreement will continue to provide the overall regulatory framework for remediation. This plan involves supplementation of existing requirements in order to streamline the decision-making process.

DECISION MAKING PROCESS

Streamlined Process

As a part of the accelerated cleanup initiative, the parties have agreed that a streamlined process is needed to ensure early identification of issues, precise problem definition and timely decision making to complete the work.

The envisioned process is:

- DOE, EPA, TDEC, and the EM contractor will work as a team on a “real time” basis to assure that the work being performed is technically acceptable to all parties. For example: every effort will be made to assure that all documents, designs and other deliverables are acceptable at initial submittal.
- To the extent possible, major issues will be raised during conduct of work and the project team will resolve these issues.
- The managers will monitor progress and resolve any issues that can not be resolved by the team.

Roles and Responsibilities

The key roles and responsibilities for the streamlined decision making process are discussed below.

DOE Project Team –This team is responsible for providing technical direction to the contractors and for managing the project scope, schedule and budget. The team is responsible for the timely identification of issues and problems and elevating them to the Core Project Team for resolution. The team is responsible for assuring that all necessary and timely information is provided to the core project team throughout the planning and design process to accommodate and facilitate early approvals. They are also responsible for the implementation of the clean-up decisions.

Core Project Team –This team will consist of the DOE, EPA, and TDEC. The team will meet periodically and function openly and collaboratively focusing on achieving cleanup. The team is responsible for timely identification and resolution of issues and problems and making cleanup decisions. If an issue can not be resolved by the team, then they will be responsible for elevating that issue to the managers in a timeframe that does not impact the project schedule. The parties agree to develop a process to document decisions and issues. The Core Team will use the process developed for capturing decisions and issues. The meetings will be facilitated to the extent possible. Members of the Core Teams will report to the managers in their respective organizations and be held accountable for the progress of the team.

Managers - The managers will provide oversight, resolve issues on which the core team has not reached consensus, and will “frame” any unresolved issues and elevate them to senior management for resolution in a timely manner. Managers will meet periodically to review Core Team progress against the lifecycle baseline and program milestones.

Senior Management - It is anticipated that only major issues that involve policy or precedent will be addressed by senior management. Senior management will hold the teams and managers accountable for their commitments and for keeping the projects on schedule.

FFA MILESTONE DISPUTE RESOLUTION

The parties agree that the dispute currently pending before the FFA senior executive committee is resolved by adopting the milestones contained in Table 1 and 2 below. Table 1 contains the three years (FY02 –04) of enforceable milestones (Federal Facility Agreement Appendix E). Table 2 contains one year (FY05) of non-enforceable milestones (Federal Facility Agreement Appendix J). The parties will promptly modify FFA Appendices E and J to contain these milestones. On October 1, 2002 specific milestones dates consistent with Table 2/Appendix J will become the FY+2 portion of FFA Appendix E.

Table 1

Site	Subproject	FY 2002	FY 2003	FY 2004
ETTP	Zone I	ROD: 10/31/01	LUCIP, WHP, SOP: 3/31/03	
	K-770 Scrap & Debris			Complete: 9/30/04
	Zone 2 soils		FFS: 9/30/03	WHP: 9/30/04, PP: 12/31/03, ROD: 6/30/04, LUCIP 7/30/04
	Group II D&D		AM: 12/30/02 WHP, SOP: 9/30/03	
	Powerhouse Area			Complete: 9/30/04
	K-1064 Area	AM: 9/30/02	WHP, SOP: 12/30/02	Complete: 9/30/04
	K-25/K-27	AM, RmAWP (Haz. Mat. Abate), Phase 2 WHP 9/30/02	Phase 2 SOP or RmAWP: 9/30/03	
	BNFL (K-29/K-31/K-33)			RmAR: 9/30/04
	K-1070-A Burial Ground			RAR: 12/31/03
	K-1070-C/D Pit and Contaminated Pad		RAR: 12/31/02	
	K-1085 (Drum Burial Site)	RmAR: 9/30/02		
	Melton Valley	Melton Valley ROD	ESD: 9/30/02	
Capping			IHP Complete: 3/31/03, SWSA 5 Pits & Trenches Design Complete: 9/30/03	SWSA 6 Design Complete: 3/31/04, SWSA 4 Complete 9/30/04
ISV				Design Complete: 9/30/04
Soils and Sediments				Design Complete, WHP: 9/30/04
Small Facility D&D		SWSA 4 PCCR: 2/11/02		Design Complete, WHP: 9/30/04
Hydrofracture Well P&A			Complete: 9/30/03	
NHF D&D				Complete:9/30/04
Old Hydrofracture D&D		PCCR: 6/30/02		
MSRE Flush & Fuel Salt Removal		ESD: 9/30/03	Complete: 9/30/04	

Table 1 (cont.)

Site	Subproject	FY 2002	FY 2003	FY 2004
Bethel Valley	Bethel Valley ROD	LUCIP: 9/30/02		
	Bethel Valley Groundwater Action	Engineering Study WP: 9/30/02		Engineering Study Report: 9/30/04
	BV Inactive Tanks and Pipelines	RmAR (GAAT Tank Shells): 2/4/02		
	Tanks T1, T2, HFIR		Design Complete: 9/30/03	Complete: 9/30/04
	ORNL Main Plant Surface Impoundments Metal Recovery Facility	RmAR: 7/16/02	RAR: 1/1/03	
UEFPC	UEFPC Ph. I ROD (Interim SW Actions)	LUCIP: 9/30/02		
	UEFPC Bldg. 9201-02 Water Treatment System		Design Complete: 9/30/03	Complete: 9/30/04
	UEFPC Soils ROD		FFS: 9/30/03	PP:9/30/04
Bear Creek Valley	BCV Boneyard/Burnyard		Complete: 5/18/03	
	Burial Ground D Time-Critical Removal		RmAR: 11/6/02	
EMWMF	EMWMF Design Construction and Capping	Construction Completion Report: 3/15/02		Design Complete: 9/30/04
ORR General	Remedial Effectiveness Report	3/28/2002	3/28/2003	3/28/2004
	Public Involvement Plan			5/31/2004
Other	City of Oak Ridge & Surrounding Communities			ATSDR Report *

* Not a DOE Milestone (ATSDR)

Table 2

Site	Subproject	FY 2005
ETTP	Site Wide Groundwater	GW Study Complete
	Balance of Site	Complete
	Main Plant	Complete
	K-25/K-27	WHP, Phase 3 SOP or RmAWP
Melton Valley	Capping	SWSA 5 Complete
	ISV	Complete
	Small Facility D&D	Complete
	HRE Ancillary Facilities	Complete
Bethel Valley	Corehole 8	AM
UEFPC	UEFPC Soils ROD	ROD, LUCIP
EMWMF	EMWMF Design Construction and Capping	Phase 1 Complete
Other	Remedial Effectiveness Report	RER
	City of Oak Ridge & Surrounding Communities	PA/SI

ACTIONS TO COMPLETE ACCELERATED CLEANUP PLAN

Outlined below are three concurrent actions that are required to complete this accelerated cleanup plan.

Comprehensive Waste Disposition Plan

The Comprehensive Waste Disposition Plan (CWDP) will describe the strategy and plans for disposition of waste resulting from DOE activities conducted on the Oak Ridge Reservation. The CWDP provides a single point of reference describing EM waste disposition and related interfaces. Specifically to be addressed is management of waste for the period FY 2003 through 2008, including key interfaces with Office of Science and National Nuclear Security Agency waste management. It will also summarize program changes resulting from accelerated closure as well as major items needed to accomplish the plan. The CWDP will provide waste forecast information and describe planned disposition outlets including their availability and capacity. The CWDP will describe planned initiatives to streamline waste disposition (e.g., standardized EM approach to waste characterization and timely disposal), disposition maps and performance plans. This document will address issues in support of decision making on the utilization of the EMWMF. The CWDP is scheduled to be completed by September 30, 2002.

Performance Management Plan

The purpose of the Performance Management Plan (PMP) is to provide a management-level synopsis of how the proposed Oak Ridge accelerated clean-up will be implemented. The PMP documents the planned cleanup end states, the cleanup initiatives, and the DOE management framework. The PMP also contains a responsibility assignment matrix (RAM) that delineates performance accountability and lists government furnished services. The RAM includes specific actions, due dates, and the responsible party for completing key activities such as the:

- Site Treatment Plan (STP.)
- Shipment of UF6 cylinders off-site
- Packaging and shipment of Legacy TRU waste
- Disposal of Legacy and Currently Generated Operations low level waste.
- Transfer to generators the responsibility of waste management activities.
- Completion of Offsite clean-up (i.e., David Witherspoon, Inc. sites cleanup, ACAP).
- Long Term Stewardship

The PMP is currently under development and is scheduled to be finalized by August 1, 2002.

Comprehensive Cleanup Plan and Balance of Program

Balance of Program includes those activities that are currently under the Oak Ridge EM scope, but are not included within the East Tennessee Technology Park or Melton Valley completion initiative. These activities include FFA activities as well as non-FFA activities. A review of the scope, schedule, and cost estimate assumptions for all these activities is currently being conducted and is scheduled to be completed by September 30, 2002. Once this review is completed, the following actions will be performed:

- **Modify FFA Appendix J** – Currently Appendix J includes the projected non-enforceable milestones for the FY+3 timeframe. This appendix will be modified to include all the projected non-enforceable milestones from the FY+3 until the completion of the current EM scope of work (projected through 2016). This is scheduled to be completed by March 15, 2003.
- **Modify FFA Appendix E** – If after completion of its review, DOE believes that any FFA Appendix E milestone date(s) adopted from Table 1 of this agreement should be changed; DOE will employ the FFA's modification provisions in proposing such change (s).
- **Comprehensive Schedules (FFA and Non-FFA)** - DOE will develop a comprehensive baseline schedule to include all EM milestones and activities planned to complete the Accelerated Clean up Plan (through 2008) and the balance of program projected through 2016. This schedule will be consistent with schedules set within the FFA Appendix E and J, the Site Treatment Plan, the Comprehensive Waste Disposition Plan and the Performance Management Plan. This schedule will be completed by March 15, 2003.

COMMITMENT TO FUTURE STREAMLINING ACTIVITIES

The parties commit to continuing the review of the current practices to identify areas that can be modified to aid in streamlining cleanup activities. Consistent with the FFA requirements, detailed protocols and processes will be developed to document how the parties will be conducting business.

As an example of these streamlining efforts, the parties have begun to discuss the document development and review processes. Initial discussions have centered on the post-ROD phase of the CERCLA documents. Table 3 and Table 4 summarize the preliminary agreements reached to date by the parties on how the post-ROD documents will be streamlined on review times and contents. Specific protocols will be developed on how to implement these agreements. Further discussions are underway to develop standard operating protocols for ETPP designs and expedite pre-ROD documents. Other activities envisioned include: protocols for documentation of issues and agreements, team building activities, etc.

Table 3

MILESTONE	PROTOCOLS
Pre ROD documents	<ul style="list-style-type: none"> • Follow existing FFA protocols • Consider expedited reviews on a project basis, (i.e., streamline review timeframes, combine documents, etc.)
Post ROD documents*	<ul style="list-style-type: none"> • 45 day approval for Waste Handling Plans and Land Use Control Implementation Plans • 30 day approval for Design/SOP and Remedial/Removal Action Reports • 21 day approval for Completion Letters

*Assumes:

- DOE and Regulators work pre-submittal documents concurrently
- Submittal is enforceable milestone

Table 4

MILESTONE	DOCUMENTATION
Waste Handling Plan	<ul style="list-style-type: none"> •To be developed
Design	<ul style="list-style-type: none"> •interim design process documents •design basis •final design •confirmatory sampling plan (as appropriate)
Record of Decision	<ul style="list-style-type: none"> •current annotated outline
Completion Letters	<ul style="list-style-type: none"> •remedy complete, operational, and functional •O&M/S&M plans (as appropriate) •Monitoring plans (as appropriate) •Performance standards met •List of contractor submittals already reviewed and approved •List of monthly construction reports •Some components of RAR and RmAR
Remedial Action Report/Removal Action Report	<ul style="list-style-type: none"> •current annotated outline •Operation & Maintenance Plan (as appropriate)
Land Use Control Implementation Plans	<ul style="list-style-type: none"> •current annotated outline

OUTSTANDING ISSUES

Issues that are currently being addressed by the parties and may potentially require Senior Executive Committee resolution are:

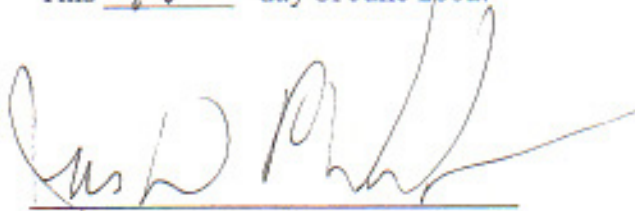
- Use of the Onsite CERCLA Waste Cell
- Scoping of the Corehole 8 project and the final groundwater remedy

SIGNATURE PAGE

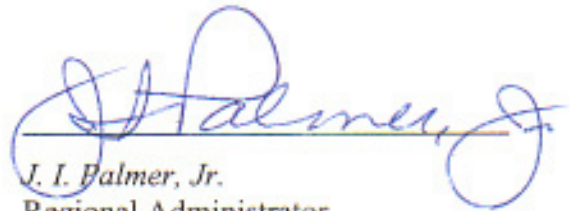
This agreement resolves the present FFA Appendix E dispute. Except for the modification of the FFA Appendix E that is necessary to effectuate the referenced dispute resolution, this agreement does not change any procedural or substantive provision of any existing agreements between the parties. This agreement does not create any new rights or remedies, but is intended to simply set-out a framework to promote cooperation between the parties and streamline the decision making process. This will allow the parties to achieve the accelerated goals documented in the Comprehensive Cleanup Proposal and Letter of Intent.

The parties understand and agree that this agreement settles the present FFA Appendix E dispute in accordance with the enclosed schedules, and further agree completion and concurrence of "Actions to Complete the Accelerated Cleanup Plan" and resolution of "Outstanding Issues" are necessary for this agreement and the accelerated cleanup plan to be complete and effective in its entirety.


This 18th day of June 2002.



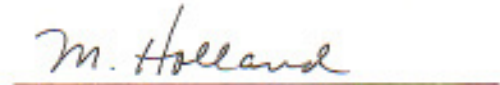
Justin P. Wilson
Deputy to the Governor for Policy
State of Tennessee



J. I. Palmer, Jr.
Regional Administrator
EPA Region 4



Jessie Hill Roberson
Assistant Secretary for
Environmental Management
Department of Energy



Michael D. Holland
Acting Manager
Oak Ridge Operations Office
Department of Energy