

DOE EM CLEANUP AND COMPLIANCE AGREEMENT FACT SHEET

SUMMARY

Data Element	Data
Site	Portsmouth
Agreement Name	Director's Final Findings and Orders (DUF ₆ and LiOH)
State	Ohio
Agreement Type	Director's Final Findings and Orders
Legal Driver(s)	RCRA
Scope Summary	Establish Compliance Orders and schedules regarding the LiOH Storage Plan/LiOH removal, and the DUF ₆ Management Plan.
Parties	DOE; Ohio Environmental Protection Agency; Lockheed Martin Energy Systems, Inc.
Date	2/24/1998

SCOPE

- Establish Compliance Orders and schedules regarding the LiOH Storage Plan/LiOH removal, and the DUF₆ Management Plan.
- Exempt Respondents from 1) the requirement to evaluate the LiOH, according to OAC rule 3745-52-11, and 2) evaluate the DUF₆ that is both generated and stored at the facility, according to OAC rule 3745-52-11.

ESTABLISHING MILESTONES

- DOE shall submit to Ohio EPA on or before 31 December of each year until DOE's evaluation is completed, an Annual Report that summarizes DOE's efforts to remove or sell the LiOH, and to evaluate potential use or reuse of the DUF₆.
- If Respondents or Ohio EPA identifies a need to amend the approved LiOH Storage Plan or the DUF₆ Management Plan, the appropriate agency will provide written notification of such a need and the reasons therefore.

FUNDING

- It is the responsibility of DOE to provide necessary funding to implement the LiOH Storage Plan and DUF₆ Management Plan.

PENALTIES

- Disputes shall be resolved according to the specifications and time lines set forth in Section VIII (Dispute Resolution). If an agreement cannot be reached through the dispute resolution process then the Ohio EPA Chief of the Division of Hazardous Waste will consult with the parties and issue the Director's final decision on the issue.
- Upon written request by the Respondents, Ohio EPA will extend the time period for completion of work affected by the dispute.
- Nothing in these Orders shall be construed to limit the authority of Ohio EPA to seek penalties for violations of these Orders.