

DOE EM CLEANUP AND COMPLIANCE AGREEMENT FACT SHEET

SUMMARY

Data Element	Data
Site	Rocky Flats Environmental Technology Site
Agreement Name	Order Requiring Compliance with Site Treatment Plan No. 95-10-03-01
State	Colorado
Agreement Type	Consent Order
Legal Driver(s)	FFCAct
Scope Summary	Approve with modifications the Proposed Site Treatment Plan for RFETS (MLLW); establish a Mixed Transuranic waste Agreement
Parties	DOE; Colorado Department of Public Health and Environment (CDPHE)
Date	10/3/1995

SCOPE

- In regard to Mixed Low-Level waste, approve with modifications the Proposed Site Treatment Plan for RFETS and require compliance by DOE with the modified and approved Site Treatment Plan.
- In regard to Mixed Transuranic waste, establish and ensure compliance with an Agreement addressing compliance with the Hazardous and Solid Waste Amendments of 1984 to RCRA.

ESTABLISHING MILESTONES

- The Site Treatment Plan provides for a three-year rolling milestone approach to implement the schedules concerning MLL waste and Mixed Transuranic waste.
- Commencing on March 15, 1996, and annually thereafter, DOE shall submit to CDPHE for review and approval an Annual Progress Report and Work Plan to the Site

Treatment Plan. The Work Plan shall include milestones through FY+2 and proposed changes to milestones for FY+1 and FY for approval.

- Commencing on December 15, 1995, and every 15th day of the last month of every quarter, DOE shall submit a Quarterly Progress Update to CDPHE.

FUNDING

- If appropriated funds are not available to fulfill DOE's obligations, CDPHE shall be notified and shall meet to discuss whether the Parties can reach accommodation or adjustments to milestones and/or activities that exceed the Site's allocation. These discussions will be conducted as part of the sitewide baseline and milestone review process near the beginning of the fiscal year.
- CDPHE's willingness to make accommodations, if any, shall not be construed as a waiver of its position that lack of funding does not excuse DOE from meeting its obligations to comply with applicable laws including this Order.

PENALTIES

- CDPHE reserves the right to exercise whatever legal authority it might have in order to enforce this Order, including but not limited to seeking administrative or civil penalties.
- DOE may request extensions of milestones as approved for good cause (including force majeure).