

DOE EM CLEANUP AND COMPLIANCE AGREEMENT FACT SHEET

SUMMARY

Data Element	Data
Site	Fernald
Agreement Name	Director's Final Findings and Orders
State	Ohio
Agreement Type	Director's Final Findings and Orders
Legal Driver(s)	RCRA/CERCLA
Scope Summary	Integrate the Ohio EPA RCRA hazardous waste closure requirements into the remediation requirements of CERCLA
Parties	DOE; Fernald Environmental Restoration Management Corporation (FERMCO); Ohio Environmental Protection Agency
Date	6/6/1996

SCOPE

- Avoid duplication of efforts at the Facility and integrate the Ohio EPA RCRA hazardous waste closure requirements into the remediation requirements of CERCLA as detailed in the June 29, 1990 Consent Agreement as amended September 20, 1991 (ACA).

ESTABLISHING MILESTONES

- Hazardous Waste Management Units (HWMUs) identified in Attachment A are subject to schedules in the ACA. Attachment A contains those HWMUs that Respondent intends to close utilizing a CERCLA/RCRA integrated process.
- HWMUs identified in Attachment B are subject to schedules contained herein. Attachment B contains those HWMUs that Respondent intends to close in accordance with Ohio EPA requirements contained in OAC rules.

FUNDING

- It is the position of the Ohio EPA that the Anti-Deficiency Act does not apply to any obligations set forth in these Orders and that such obligations are unaffected by the Respondent's failure to obtain adequate funds or appropriations from Congress.
- It is the Respondent's position that obligations are subject to the Anti-Deficiency Act and funding availability.

PENALTIES

- No specific monetary penalties are set forth in these Orders.
- Nothing herein restricts the right of Ohio EPA to seek legal or equitable relief to enforce the terms of these Orders or to require additional activities at the Facility.