

**APPENDIX D**  
**REGULATORY SUPPORT AND AGREEMENTS**

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## **Memorandum of Agreement for Achieving an Accelerated Cleanup Vision Savannah River Site**

On May 22, 2003, the Department of Energy -Savannah River Operations Office (SR), the U.S. Environmental Protection Agency-Region 4 (US EPA) and the South Carolina Department of Health and Environmental Control (SCDHEC), known hereafter as “the Parties,” agreed to support accelerated cleanup of the Savannah River Site (SRS). Building on this Letter of Support, the Parties hereby agree to the following implementing principles and concepts.

1. The Parties are committed to work together to develop a Comprehensive Cleanup Plan (CCP) to achieve an earlier end date for the environmental restoration and facility decommissioning at SRS. The CCP will represent an accelerated cleanup program that has a clear objective to reduce risks to workers, the public and the environment. For the purposes of the environmental restoration program, the CCP will become the basis to the Federal Facility Agreement (FFA) Appendices D and E and their annual submissions. The CCP will demonstrate the SR’s commitment to maintain a level of cleanup work consistent with the intent of the letter from V. L. Weeks, US EPA, to L. C. Goidell, SR, dated August 16, 1993, Subject: Fiscal Year 1993 Through 2006 Commitments, Federal Facility Agreement.
2. The Parties agree that the CCP will support the Target and Vision cleanup objectives, which are closing whole areas earlier, leading to earlier completion of the entire cleanup program. This Memorandum of Agreement (MOA) sets forth principles for accelerating SRS cleanup, beyond the objectives of the SRS Environmental Management Program Performance Management Plan (PMP). SRS will reduce its operations footprint to establish a buffer zone at the perimeter of the Site, while the central area of the Site will be reserved for continuing or future long-term operations. The Parties agree that establishing this buffer zone and appropriately sequencing environmental restoration and decommissioning activities can lead to early closure of areas. This will enable the Parties to prioritize areas for closure and determine areas of the SRS that will be candidates for deletion from the National Priorities List (NPL).

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3. The completion of the SRS environmental cleanup program will be achieved through the completion of areas within watersheds, followed by the Integrator Operable Units (IOUs), and concluding with the Savannah River and Flood Plain Swamp IOU. The principle of area closure is to determine that areas are completed when all required response actions are completed. The specific site area scoping assumptions will be established by the respective core team, in support of the CCP development. As an area is completed, the Parties endorse the application for partial deletion of the respective area from the NPL. The goal is to delete all areas of the SRS from the NPL, as depicted in the attached conceptual chart (Attachment 1).
4. Decommissioning will be conducted consistent with the attached administrative flow path, which demonstrates integration with the FFA process (Attachment 2).
5. The completion of an area will be documented in an Area Record of Decision (ROD) as described in item 3 above. To achieve Area RODs, decommissioning and environmental restoration work will be sequenced and conducted such that the Area ROD schedules will be met. Annually, SRS will provide a decommissioning schedule that supports meeting the Area ROD schedule.
6. The Parties agree that the concept of Area RODs is an appropriate tool for the re-sequencing of the FFA program to support area closure as the accelerated end date is being achieved. To the maximum extent practicable, entire areas of the SRS (e.g., a facility area such as TNX) will be addressed as a consolidated unit to take advantage of characterization data, risk assessment, and integrated solutions that consolidate areas into an expanded operable unit to effect economies of scale and reduce administrative requirements.
7. The Parties recognize that to effect an accelerated end date for the program, individual operable units or aggregations of operable units that comprise the program will need to be assessed and the remedies selected and implemented in an expeditious manner.
8. To reduce the time to assess, select remedies, and implement remedial actions, the Parties commit to continually seek, develop, and use innovative technologies, processes, presumptive remedies, and other approaches. These actions will yield shorter schedules and cost-effective cleanup responses appropriate to the risks and with a bias for action. The Parties recognize that substantial onsite technical capabilities exist and will be leveraged to support accelerated cleanup.
9. The CCP metrics, to monitor progress, will be developed and mutually agreed to by the Parties. The Parties recognize that meeting or exceeding the CCP schedule may be jeopardized if resource limitations arise; therefore, prioritizing appropriate or additional resources is critical to achieving cleanup acceleration.
10. The Parties recognize that accelerating the SRS cleanup program and achieving area closure will require active involvement and/or direction from all levels within each of the Parties. The Parties agree to establish and support core teams to achieve the goal of cleanup completion.

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11. The Parties endorse the *Principles of Environmental Restoration* as set forth below, and commit to core team scoping and decision processes that utilize technical protocols for the performance of work and document templates for the reporting of the decisions.
12. The Parties recognize that this is an evolving process and changes may be required. This Agreement does not alter the Parties' obligations under the SRS FFA, which will remain fully operative under its existing terms unless and until the FFA is duly modified in accord with the process it contains for modification.

*Principles of Environmental Restoration*

1. Building an effective core team is essential.
2. Clear, concise, and accurate problem identification and definition are critical.
3. Early identification of likely response actions is possible, prudent, and necessary.
4. Uncertainties are inherent and will always need to be managed.

The following endorse this Memorandum of Agreement:



6/23/03

R. Lewis Shaw, Deputy Commissioner for  
Environmental Quality Control  
South Carolina Department of Health and Environmental Control

Date



7/8/03

J. N. Palmer, Jr., Regional Administrator  
U.S. Environmental Protection Agency – Region 4

Date



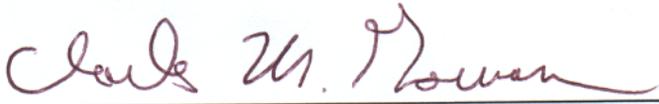
6/19/03

Jeffrey M. Allison, Manager  
Savannah River Operations Office  
U. S. Department of Energy

Date

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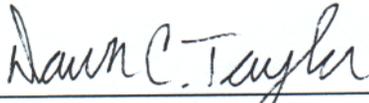
The following agree to implement this Memorandum of Agreement:

 June 19, 2003  
Date

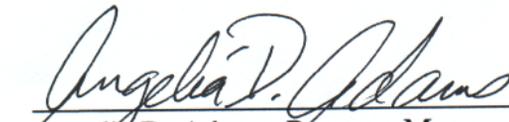
Charles M. Gorman, FFA Project Manager  
Division of Site Assessment and Remediation  
Bureau of Land and Waste Management  
South Carolina Department of Health and Environmental Control

 June 17, 2003  
Date

Brian T. Hennessey, FFA Project Manager  
Environmental Restoration Division  
Savannah River Operations Office  
U.S. Department of Energy

 June 27, 2003  
Date

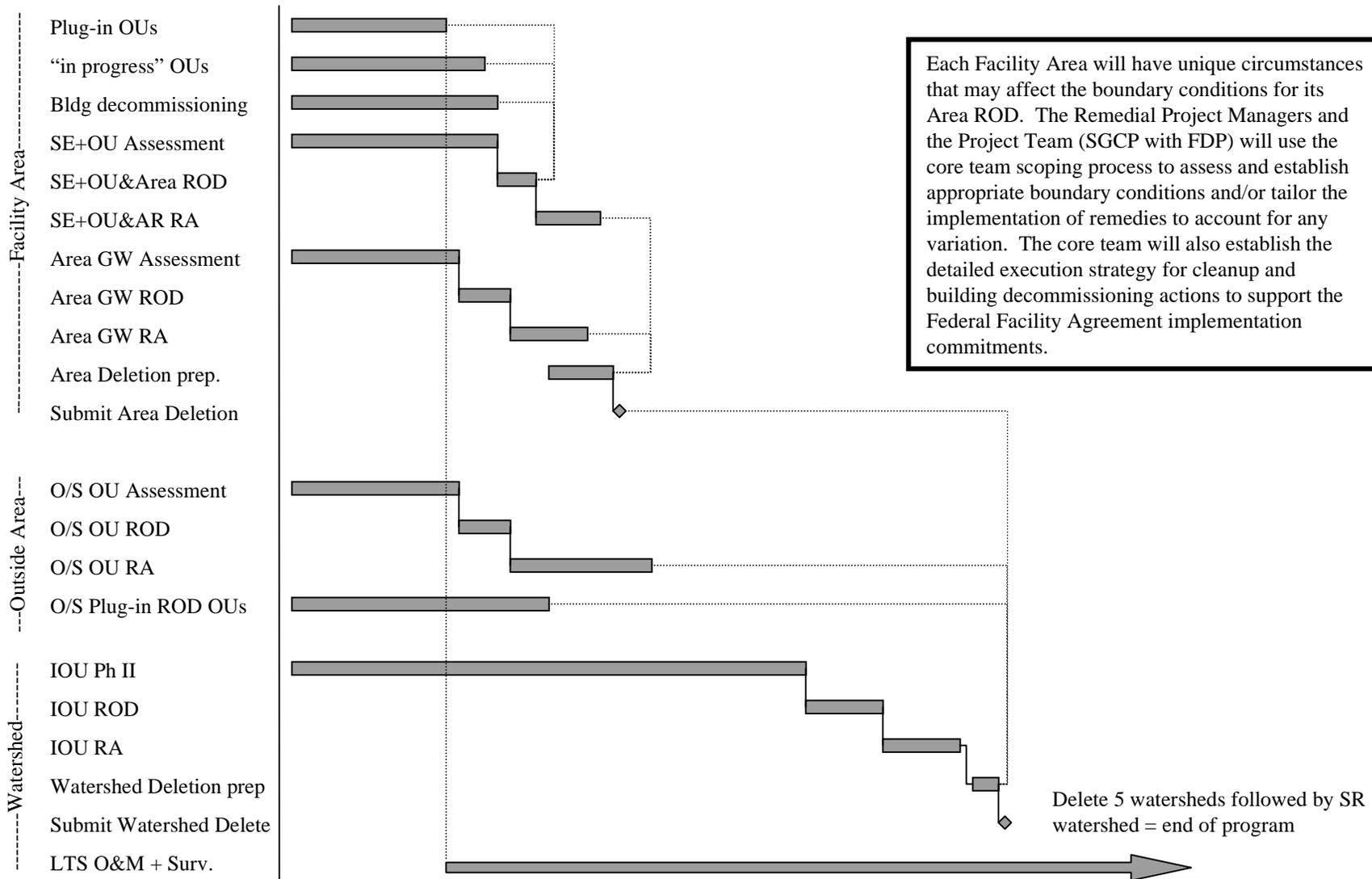
Dawn C. Taylor, FFA Project Manager  
DOE Remedial Section  
Federal Facilities Branch  
Waste Management Division  
U.S. Environmental Protection Agency – Region 4

 June 18, 2003  
Date

Angella D. Adams, Program Manager  
Operations and Decommissioning Division  
Savannah River Operations Office  
U.S. Department of Energy

# Area ROD to NPL Deletion Schedule Logic

## Attachment 1



Each Facility Area will have unique circumstances that may affect the boundary conditions for its Area ROD. The Remedial Project Managers and the Project Team (SGCP with FDP) will use the core team scoping process to assess and establish appropriate boundary conditions and/or tailor the implementation of remedies to account for any variation. The core team will also establish the detailed execution strategy for cleanup and building decommissioning actions to support the Federal Facility Agreement implementation commitments.

Delete 5 watersheds followed by SR watershed = end of program



**LETTER OF SUPPORT FOR ACCELERATING CLEANUP  
AT THE SAVANNAH RIVER SITE  
May 22, 2003**

Among the South Carolina Department of Health and Environmental Control (SCDHEC), the United States Environmental Protection Agency (EPA), and the United States Department of Energy (DOE) ("the Parties")

**Foundation**

In a Letter of Intent, dated May 8, 2002, the Parties established a foundation for accelerating cleanup at the Savannah River Site (SRS), and continue to recognize that foundation.

The Parties agreed that accelerating the reduction of risk and cleanup, in a cost-effective manner, is in the interest of the Parties, and the people of South Carolina and the region.

The Parties shared a vision for Environmental Management (EM) activities at SRS to accelerate completion of all cleanup by 2025.

The Parties have built a cooperative and effective relationship and base of success. The efforts contemplated herein will build on that success to mutual benefit, improving on the performance of a strong program. Such a commitment, including funding necessary to sustain the accelerated cleanup objectives, provides a truly significant opportunity to accelerate risk reduction and site cleanup.

The Parties agree that all activities will reflect the respective responsibilities of each, and will be done in compliance with applicable laws and regulations.

The Parties continue to value the importance of enforceable commitments to sustain progress.

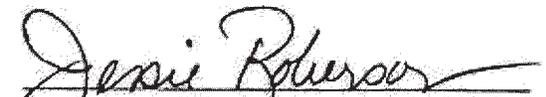
The Parties agree, in setting priorities and cleanup strategies, to recognize, consider and include the principle of addressing greatest risks first, balanced by risk to workers, the public, and the environment.

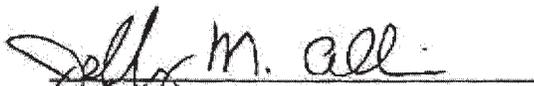
**Principles**

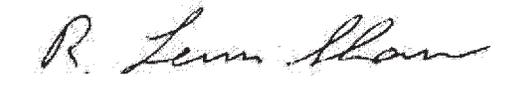
Within the context of the above foundation, the Parties agree to:

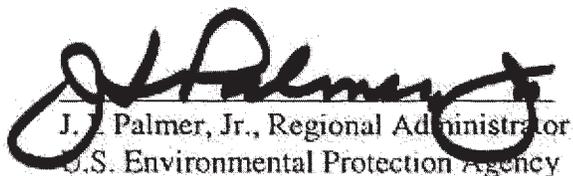
- Support risk-based decision-making.

- Support accomplishment of Performance Management Plan (PMP) initiatives with the exception of those initiatives affected by ongoing federal litigation. The Parties are committed to the overall goals and objectives of the PMP, and will strive to make significant progress in PMP implementation recognizing that difficult policy and regulatory issues may arise. We will continue to seek opportunities that build on our mutual successes within the applicable laws, regulations, and agreements.
- Support EM accelerated cleanup beyond PMP initiatives. Through numerous productive collaborations and working sessions at all levels, EPA, SCDHEC and DOE are actively identifying opportunities for fulfilling their SRS Federal Facility Agreement and Site Treatment Plan obligations by using more efficient methods, leading to accelerated cleanup of the Site.

  
Jesse Hill Roberson, Assistant Secretary  
for Environmental Management  
U.S. Department of Energy

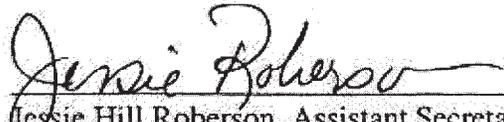
  
Jeffrey M. Allison, Manager  
Savannah River Operations Office  
U.S. Department of Energy

  
R. Lewis Shaw, Deputy Commissioner  
for Environmental Quality Control  
South Carolina Department of Health  
and Environmental Control

  
J. J. Palmer, Jr., Regional Administrator  
U.S. Environmental Protection Agency  
Region 4

ATTACHMENT

This Letter of Support satisfies compliance with Section 315 of Public Law 108-7 (Omnibus Appropriations Act for FY 2003).

  
Jessie Hill Roberson, Assistant Secretary  
for Environmental Management  
U.S. Department of Energy

# memorandum

DATE: May 22, 2003

REPLY TO:  
ATTN OF: EM-1

SUBJECT: Release of Fiscal Year (FY) 2003 Funding for Obligation

TO: Jeffrey M. Allison, Manager, Savannah River Operations Office

On March 21, 2003, in a funding allocation memorandum to you, I imposed a limitation on the level of FY 2003 obligations that could be incurred by the Savannah River Operations Office (SR) in the Environmental Management Program. That limitation of \$52,466,000 was imposed because of the absence of any documentation demonstrating regulatory endorsement of the SR Performance Management Plan.

In the interim period of time, SR has worked productively with both Federal and State regulators to establish an agreed to foundation for accelerating cleanup at the Savannah River Site (SRS) as evidenced in the May 22, 2003, Letter of Endorsement for Accelerating Cleanup at the SRS.

In my judgment, the referenced letter of endorsement satisfies the restrictive condition set forth by me in the March 21, 2003, funding allocation memorandum; accordingly, the imposed limitation is removed and SR can proceed with necessary actions to obligate the \$52,466,000.

  
Jessie Hill Roberson  
Assistant Secretary for  
Environmental Management