



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

APR 18 2019

ASSISTANT ADMINISTRATOR
FOR ENFORCEMENT AND
COMPLIANCE ASSURANCE

John A. Mullis II, Manager
Oak Ridge Office of Environmental Management
Oak Ridge Reservation
U.S. Department of Energy
P.O. Box 2001
Oak Ridge, Tennessee 37831

RE: Acknowledgement of Elevation of Dispute Under the Federal Facility Agreement (FFA)
Regarding the Focused Feasibility Study for Water Management for the Disposal of
CERCLA Waste on the Oak Ridge Reservation, Oak Ridge, Tennessee

Dear Mr. Mullis:

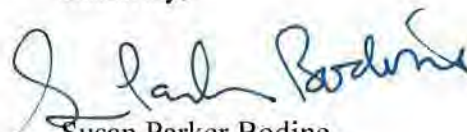
This letter acknowledges receipt of your April 5, 2019, letter. The letter elevates a dispute to the U.S. Environmental Protection Agency Administrator regarding the Focused Feasibility Study for Water Management for the Disposal of CERCLA Waste on Oak Ridge Reservation and requests a meeting with the Administrator as provided in Section 26 of the FFA. Additionally, the letter states the U.S. Department of Energy's (DOE's) intention to provide additional materials in advance of the requested meeting with the Administrator. We are considering that intent to be a request for an extension of the FFA deadline. We look forward to receiving your additional written materials as soon as you are able to provide them in order to expeditiously resolve this dispute.

The EPA is working with the Tennessee Department of Environment and Conservation to determine whether they plan to provide any materials after receipt of DOE's supplemental information.

Given the timeline for submission and review of additional written materials from DOE and possibly from the Tennessee Department of Environment and Conservation, and the request for a meeting with the Administrator, we agree to suspend the FFA deadline of 21 days for the Administrator's decision until those materials are received. This will help to ensure that the Administrator has a complete record to inform and support his ability to issue a decision. Once we receive any additional materials from all parties, we will schedule the meeting you requested in your April 5, 2019, letter.

We look forward to working with you to reach a resolution on this dispute.

Sincerely,


Susan Parker Bodine

cc: Barry Breen
Acting Assistant Administrator
U.S. EPA Office of Land and Emergency Management

Mary Walker
Acting Regional Administrator
U.S. EPA Region 4

Anne White
Assistant Secretary for the Office of Environmental Management
U.S. Department of Energy

Mark Gilbertson
Principal Deputy Assistant Secretary for the Office of Environmental Management
U.S. Department of Energy

David W. Salyers, P.E.
Commissioner
Tennessee Department of Environment and Conservation