

John T. Conway, Chairman
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John W. Crawford, Jr.
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DEFENSE NUCLEAR FACILITIES SAFETY BOARD

625 Indiana Avenue, NW, Suite 700, Washington, D.C. 20004
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November 6, 1995

Mr. James M. Owendoff
Deputy Assistant Secretary
for Environmental Restoration
Department of Energy
Washington, DC 20585

Dear Mr. Owendoff:

Thank you for your letter dated September 25, 1995, and your proposed "Approval of Approach for CERCLA Equivalency to Performance Assessment Requirements under Department of Energy (DOE) Order 5820.2A, *Radioactive Waste Management*" for the Fernald Environmental Management Project's (FEMP) planned disposal cell. Your letter indicates the intent of your Office of Program Integration to schedule a briefing with the Defense Nuclear Facilities Safety Board's (Board) staff on this subject. We believe that further discussions are necessary to ensure that the essential features of DOE Order 5820.2A are incorporated into the CERCLA process.

As far as the specifics of the FEMP situation are concerned, the Board's staff is concerned that the approach outlined in your letter may not be adequate. The Board's staff is looking forward to meeting with the Office of Program Integration's staff at an early date to discuss these issues. Please contact either Mr. Steven Stokes of the Board's staff or me to make the appropriate arrangements.

Sincerely,

A handwritten signature in black ink, appearing to read "George W. Cunningham".

George W. Cunningham
Technical Director

c: Mr. Mark Whitaker