

DOE EM CLEANUP AND COMPLIANCE AGREEMENT FACT SHEET

SUMMARY

Data Element	Data
Site	Fernald
Agreement Name	Federal Facility Compliance Agreement
State	Ohio
Agreement Type	Compliance Agreement
Legal Driver(s)	RCRA/CERCLA/CWA
Scope Summary	Establish a Compliance Plan to ensure compliance by DOE with existing environmental statutes, and implementing regulations, including the Clean Air Act, RCRA, and CERCLA, at FMPC
Parties	DOE; US EPA
Date	7/18/1986

SCOPE

- Establish a Compliance Plan to ensure compliance by DOE with existing environmental statutes, and implementing regulations, including the Clean Air Act, RCRA, and CERCLA, at FMPC.
- Ensure that the environmental impacts associated with past and present activities at the FMPC are thoroughly investigated, and appropriate remedial response action taken.
- This Agreement does not address compliance, or the lack thereof, by DOE's FMPC with the Clean Water Act.

ESTABLISHING MILESTONES

- Schedules and deadlines are established in the Compliance Plan in this Agreement.
- Monthly progress reports identifying steps taken toward achieving compliance with

the requirements contained herein shall be submitted to US EPA on the twentieth day following the end of each month.

- Failure to comply with the terms of this Agreement shall be considered a violation unless DOE demonstrates that such a failure to comply was justified and a new schedule is agreed upon.
- Modifications to this Agreement may be requested by US EPA or DOE. All modifications shall be by mutual agreement.

FUNDING

- DOE's performance of the commitments under this Agreement are subject to the availability of appropriate funds for such purposes.
- If appropriated funds are not available to fulfill requirements of the Agreement, US EPA reserves the right to initiate such action as it deems appropriate to the extent permitted by law.

PENALTIES

- No specific monetary penalties are set forth in this Agreement.
- Disputes shall be resolved according to the terms in this Agreement. In the event that a dispute cannot be resolved by this process, the Administrator of US EPA will request the Director of the Office of Management and Budget to resolve the conflict.