

## DOE EM CLEANUP AND COMPLIANCE AGREEMENT FACT SHEET

### SUMMARY

Data Element	Data
Site	Pinellas
Agreement Name	Remediation Agreement for the Four and One-Half Acre Site in Largo, Pinellas County, Florida
State	Florida
Agreement Type	Remediation Agreement
Legal Driver(s)	CERCLA/ Atomic Energy Act of 1954, as amended/ Florida Air and Water Pollution Control Act
Scope Summary	Remediation of property adjacent to the former Pinellas Plant
Parties	DOE; Florida Department of Environmental Protection
Date	3/12/2001

### SCOPE

- Remediate the groundwater under a parcel of property adjacent to DOE's former Pinellas Plant to levels consistent with industrial use.
- Complete remedial actions at the site in accordance with a Remedial Action Plan prepared by DOE and approved by FDEP.
- Submit quarterly reports of interim remedial actions at the Site.

### ESTABLISHING MILESTONES

- DOE will submit the RAP for FDEP's approval within 180 days from the execution of the Agreement.
- Once the RAP is approved, DOE shall follow the schedules therein.
- DOE will submit to the FDEP written quarterly reports.

- In the event that either the FDEP or DOE determines that additional work is required, DOE or FDEP shall notify the other agency in writing. The receiving agency shall have 30 days in which to respond.
- DOE may request an extension when there is “good cause,” as specified in the Agreement; any DOE request for an extension shall be submitted in writing specifying the length of, reason for, and related schedule implications of the extension
- Within 14 days of receipt of a request for an extension, the FDEP shall notify the DOE in writing as to whether it will grant or deny the extension; no response will be considered a rejection of the request and DOE may then invoke the provisions of Section XVII (Resolution of Disputes).
- In the event of Force Majeure (including, but not limited to, insufficient DOE funds), DOE will be excused from any resulting delay in performance.

## **FUNDING**

- DOE will request through its budgetary process the funds necessary to comply with the provisions of the Agreement.
- DOE and FDEP expect that all obligations of DOE arising under the Agreement will be fully funded.
- No provision in the Agreement shall be interpreted to require DOE to violate the Anti-Deficiency Act, as amended.
- If appropriated funds are not available to fulfill DOE’s obligation under this Agreement, FDEP reserves the right to initiate an action against DOE or any other person which would be appropriate absent this Agreement.

## **PENALTIES**

- Disputes will be resolved according to the terms outlined in this Agreement.
- Additional work or modification to work performed shall be subject to Section XVII (Resolution of Disputes) of this Agreement.