



DEPARTMENT OF THE ARMY
ST. LOUIS DISTRICT, CORPS OF ENGINEERS
8945 LATTY AVENUE
BERKELEY, MISSOURI 63134

REPLY TO
ATTENTION OF:

October 21, 2004

Formerly Utilized Sites Remedial Action Program

Subject: Response to Request dated March 18, 2004, to Amend the 1990 Federal Facility Agreement, Docket # VII-90-F-0005

Mr. Robert Geller,
Federal Facilities Section
Missouri Dept. of Natural Resources
P.O. Box 176
Jefferson City, Missouri 65102

Dear Mr. Geller:

The purpose of this letter is to respond to your request to amend the 1990 Federal Facility Agreement (FFA) signed by the U.S. Department of Energy (DOE) and U. S. Environmental Protection Agency (EPA), Docket #VII-90-F-0005.

In consideration of your request it is important to note that the original FFA was "inherited" from DOE. It does not include an Army signature; and it does not follow recent Army guidance on FFA content. All new/revised FFAs entered into by the U.S. Army Corps of Engineers (USACE) must conform to U.S. Army guidance. It is highly probable that Army will wish to revisit the entire FFA content with the goal of rewriting the document to conform to current Army guidance if the issue of making changes to the FFA is raised. Based upon recent experience, this would likely result in a lengthy and expensive development and negotiation process.

On the other hand, if the basis for MDNR's request for this modification is a concern regarding the State's participation in the resolution of long-term stewardship issues at the St. Louis FUSRAP sites, then these concerns are being addressed through the on-going long-term stewardship coordination process and through the Cooperative Agreement between the State of Missouri and the USACE. The addition of the State as a party to the FFA would not alter current long-term stewardship coordination processes. Further, long-term stewardship roles and responsibilities will be clarified in the long-term stewardship plan. USACE will develop this plan with input from the EPA, MDNR, local landowners, municipalities, utilities, the St. Louis Oversight Committee and DOE. The protectiveness of the cleanup will be addressed as part of the 5-year review process, in accordance with CERCLA. The long-term stewardship plan will supplement the 5-year review process by identifying the responsibilities for 1) site monitoring, maintenance, and reporting; 2) institutional controls; 3) information and records management; and 4) environmental monitoring. This plan will ultimately be implemented under the terms of the Memorandum of Understanding between USACE and DOE.

CF: Mattingly, Wunsch, Bonetrad
Cotter

The potentially negative impacts of initiating the process of amending the existing FFA should be carefully weighed against the benefits of creating a "new" FFA, especially in light of the potential future scarcity of FUSRAP funding and resources. MVS would prefer to use FUSRAP funding and human resources to remediate sites rather than renegotiate the FFA. USACE appreciates the continued support of MDNR and looks forward to continuing its working relationship with your agency. If you have any questions regarding this matter, please contact me at (314) 260-3915.

Sincerely,

A handwritten signature in cursive script, reading "Sharon Cotner".

Sharon Cotner
FUSRAP Program Manager

CF: Mr. Dan Wall, U.S. Environmental Protection Agency

FUSRAP Document Management System

Year ID
00 4466

Further Info?
☐

Operating Unit
St. Louis Sites

Site

Area

MARKS Number
FN:1110-1-8100g

Primary Document Type
Site Management

Secondary Document Type
Correspondence

Subject or Title

Response to request dated March 18, 2004, to amend the 1990 FFA, Docket # VII-90-F-0005

Author/Originator

Sharon Cotner

Company

CEMVS-PM-R

Date

10/21/2004

Recipient (s)

Robert Geller; Dan Wall

Company (-ies)

MDNR; USEPA

Version

Final

Original's Location

Central Files

Document Format

paper

Confidential File?

☐

Comments

SAIC number

Bechtel ID

include in which AR(s)?

- ☒ North County
☐ Madison
☐ Downtown
☐ Iowa

ETL

0113

Filed in Volume

01

