

APPENDIX E

MEMORANDUM OF AGREEMENT

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MEMORANDUM OF AGREEMENT

IMPLEMENTATION OF A LAND USE CONTROLS ASSURANCE PLAN FOR THE UNITED STATES DEPARTMENT OF ENERGY SAVANNAH RIVER OPERATIONS OFFICE

Section 1

PURPOSE AND SCOPE

This Memorandum of Agreement (MOA) is entered into by the United States Department of Energy Savannah River Operations Office (SR), the United States Environmental Protection Agency Region IV office (EPA Region IV), and the South Carolina Department of Health and Environmental Control (SCDHEC). The purpose of this MOA, together with the attached "Land Use Control Assurance Plan" (LUCAP), is to establish and implement procedures to assure the long-term effectiveness of Land Use Controls (LUCs) being relied upon to protect human health and the environment at certain contaminated portions of the Savannah River Site (SRS) undergoing remediation pursuant to the Federal Facility Agreement for SRS. Consistent with the purposes as set forth in the LUCAP, SR, EPA Region IV, and SCDHEC are entering into the MOA as means to implement the provisions of the LUCAP.

Section 2

RESPONSIBILITIES

The responsibilities of the Parties under this MOA shall be set forth in the attached "Land Use Control Assurance Plan for the Savannah River Site" which LUCAP is fully incorporated herein. The Parties agree to act in good faith in carrying out their responsibilities under the LUCAP.

Section 3

MODIFICATION

Any minor modifications to this MOA and/or the LUCAP incorporated herein shall be made effective upon the written approval of the Parties' Federal Facilities Agreement Project Managers. Any major modification shall be made effective upon the written approval by each of the signatories to this MOA (or their successors). A modification will be considered major if so determined by any of the three Parties hereto.

Section 4

TERMINATION

This MOA shall terminate at such time as the undersigned representatives of the Parties or their successors mutually concur that the objectives of the Parties pursuant to this agreement have been fulfilled. Alternatively, any Party may withdraw from this MOA upon sixty (60) days written notice to the other Parties. This 60-day notice requirement is for the purpose of allowing the Parties an opportunity to discuss any issues contributing to a Party's desire to withdraw from this agreement in the interest of reaching resolution so that the agreement can continue. It is understood that, should SR withdraw from this MOA, EPA and/or SCDHEC may, consistent with applicable law, reconsider any remedy(ies) associated with any SRS area having a LUC in place at the time of such withdrawal.

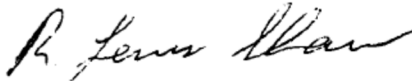
Signature Blocks:



Greg Rudy, Manager

U.S. Department of Energy, Savannah River Operations Office

Date: 10/15/99



R. Lewis Shaw, Deputy Commissioner

South Carolina Department of Health and Environmental Control

Date: 11/29/99



John H. Hankinson, Jr., Regional Administrator

U.S. Environmental Protection Agency, Region IV

Date: 3/26/2000