



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

AUG 18 2009

Mr. Thomas J. Vero
Brookhaven Project Director
Office of Environmental Management
Department of Energy
P.O. Box 5000
Upton, NY 11973

Re: Explanation of Significant Differences
Brookhaven Operable Unit III – Record of Decision
Brookhaven National Labs (BNL), Upton, NY

Dear Mr. Vero:

Enclosed please find the signed Explanation of Significant Differences (ESD) to the Record of Decision (ROD) for Operable Unit III (OU III) at Brookhaven National Laboratory (BNL) in Upton, New York. This ESD for OU III addresses only the Building 96 area. Based upon the information provided, the U.S. Environmental Protection Agency (EPA) concurs with the ESD, which I have co-signed on behalf of EPA and enclosed for distribution by the Department of Energy (DOE).

The ESD documents the change to the OU III ROD for the Building 96 area requiring the excavation and removal of approximately 350 cubic yards of tetrachloroethylene (PCE) contaminated soil. With the removal of this contaminated soil, achievement of the cleanup objectives as stated in the OU III ROD will occur sooner and prevent further migration of groundwater contamination. Please note, DOE will continue all monitoring to ensure that the cleanup objectives are met and that all other requirements of the ROD will remain in effect.

If you have any questions regarding the subject of this letter, please contact me or have your staff contact Douglas Pocze of my staff at (212) 637-4432.

Sincerely,

A handwritten signature in black ink, appearing to read "Walter E. Mugdan".

Walter E. Mugdan, Director
Emergency and Remedial Response Division

Enclosure

cc: Mr. Dale A. Desnoyers, Director, NYSDEC w/o encl.