

**SECTION J – LIST OF DOCUMENTS, EXHIBITS AND OTHER ATTACHMENTS**

**ATTACHMENT 1.2 PORTSMOUTH**

**LIST OF APPLICABLE LAWS AND REGULATIONS (LIST A)**

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ATTACHMENTS**

**PORTSMOUTH LIST OF APPLICABLE LAWS AND REGULATIONS (LIST A)**

Pursuant to Section I clause 970.5204-2 Laws, Regulations and DOE Directives (Dec 2000), this attachment contains the list of laws and regulations, standards, permits, Orders and Agreements (List A), applicable to work performed under this contract. Omission of any applicable law or regulation from List A does not affect the obligation of the Contractor to comply with such law or regulation.

<b>CONSENSUS STANDARDS</b>	
	American Industrial Hygiene Association (AIHA) "Emergency Response Planning Guidelines (ERPGs)"
	American Public Health Association, American Water Works Assoc., Water Environment Fed., "Standard Methods for Water and Wastewater" (most current version)
	B.O.C.A., Uniform Building Code or Local Fire and Building Codes
	IEEE N323A- "Radiation Protection Instrumentation Test and Calibration- 05/01/97"
	International Air Transportation Association (IATA), "Dangerous Goods Regulations", most current version
	International Civil Aviation Organization (ICAO), Doc. 9284-AN/905 "Technical Instruction for the Safe Transport of Dangerous Goods"
	International Maritime Organization, "International Maritime Dangerous Goods Code", most current version
	Statement of Federal Financial Accounting Standards 6, 87, 106, 132
	NFPA 1, Fire Prevention Code
	NFPA 55, Compressed and Liquefied Gases in Portable Cylinders
	NFPA 505, Powered Industrial Trucks Including Type Designations, Areas of Use, Maintenance, and Operations 1992 Edition
	U.S. EPA Manual, "Contract Laboratory Program Statement of Work for Organic and Inorganic Analyses" (most current version)
	U. S. EPA Manual, 400-R-92-001, "Manual of Protective Action Guides and Protective Actions for Nuclear Incidents," 1991

	<b>PUBLIC LAWS</b>
5 U.S.C. 552 et seq.	Freedom of Information Act (FOIA)
18 U.S.C. 1170 and 25 U.S.C. 3001	Native American Graves Protection and Repatriation Act of 1990
20 U.S.C., Ch. 6A, Sec. 107a	Randolph-Sheppard Vending Stand Act, as amended
29 U.S.C. 401 et seq.	Labor-Management Reporting and Disclosure Act of 1959

42 U.S.C. 2021 et seq.	Low-Level Radioactive Waste Policy Act, as amended
42 U.S.C. 2168 et seq.	Prohibition Against Dissemination of Certain Unclassified Information
42 U.S.C. 2286	Defense Nuclear Facilities Safety Board
42 U.S.C. 7401	Clean Air Act
	Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA)
	Federal Advisory Committee Act
Public Law 102-368	Federal Facility Compliance Act of 1992
	<b>CODE OF FEDERAL REGULATIONS</b>
	<b>Title 10 – Energy</b>
Part 110	Export and Import of Nuclear Equipment and Material
Part 707	Workplace Substance Abuse Programs at DOE Sites
Part 810	Assistance to Foreign Atomic Energy Activities
Part 820	Procedural Rules for DOE Nuclear Activities 10 CFR 820
Part 830	Nuclear Safety Management
Part 835	Occupational Radiation Protection, Amended 12/4/98 as described in a DOE approved RPP.
Part 850	Chronic Beryllium Disease Prevention Program
Part 860	Trespassing on Administration Property
Part 1008.16	Prohibition Against Disclosure (Privacy Act)
Part 1017	Identification and Protection of Unclassified Controlled Nuclear Information
Part 1021	DOE National Environmental Policy Act Implementing Procedures
Part 1022	Compliance with Floodplain/Wetlands Environmental Review Requirements
	<b>Title 15 – Commerce, and Foreign Trade</b>
Part 280	Fastener Quality
Parts 730-774	Export Administration Regulations (EAR)
	<b>Title 20 – Employees’ Benefits</b>
Part 617.66	Transition procedures for amendments in sections 13002 through 13009 of Public Law 99-272 (the Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985)
Part 639	Worker Adjustment and Retraining Notification
	<b>Title 22- Department of State</b>
Parts 120-130	Foreign Relations, Department of State
	<b>Title 29 – Labor</b>
Part 4	Labor Standards for Federal Service Contracts

Part 30	Equal Employment Opportunity in Apprenticeship and Training
Part 516	Records to be Kept by Employers
Part 519	Employment of Full-Time Students at Sub-Minimum Wages
Part 520	Employment of Student-Learners
Part 525	Employment of Workers with Disabilities Under Special Certificates
Part 528	Annulment or Withdrawal of Certificates for the Employment of Student-Learners, Apprentices, Learners, Messengers, Handicapped Persons, Student-Workers, and Full-Time Students in Agricultural or in Retail Service Establishments at Special Minimum Wage Rate
Part 531	Wage Payments Under the Fair Labor Standards Act of 1938
Part 541	Fair Labor Standards Act
Part 548	Authorization of Established Basic Rates for Computing Overtime Pay
Part 825	Family Medical Leave Act of 1993
Part 1602	Recordkeeping and Reporting Requirements Under Title VII and the ADA
Part 1608	Affirmative Action Appropriation Under Title VII of the Civil Rights Act of 1964, as amended
Part 1611	Privacy Act Regulations
Part 1620	Equal Pay Act
Part 1625	Age Discrimination in Employment Act
Part 1627	Records To Be Made or Kept Relating to Age: Notices To Be Posted: Administrative Exemptions
Part 1904	Recording and Reporting Occupational Injuries and Illnesses
Part 1910	Occupational Safety and Health Standards
Part 1920	OSHA Requirements for General Industry
Part 1926	Safety and Health Regulations for Construction
Part 2520	Reporting and Disclosure Under the Employee Retirement Income Security Act of 1974
Part 4041A	Termination of Multiemployer Plans
	<b>Title 33 – Navigation and Navigable Waters</b>
Part 323.2	Army Corps of Engineers Permit Regulations for Dredged Materials; Definitions
Part 323.3	Army Corps of Engineers Permit Regulations for Dredged Materials; Discharges requiring permits
Part 323.4	Army Corps of Engineers Permit Regulations for Dredged Materials; Discharges not requiring permits
Part 325.1	Processing of Department of Army Permits
Part 330.6	Authorization by Nationwide Permit
Part 330 Appendix A	Nationwide Permits and Conditions

	<b>Title 34 – Education</b>
Part 395	Vending Facility Program for the Blind on Federal and Other Property
	<b>Title 36 – Parks, Forests, and Public Property</b>
Part 60.4	National Register of Historic Places; Criteria for Evaluation
Part 800	Protection of Historic and Cultural Properties
	<b>Title 40 - Protection of Environment</b>
Part 61	National Emission Standards for Hazardous Air Pollutants -subpart A, General Provisions; -subpart H, National Emission Standards for Emission of Radionuclides Other than Radon from Department of Energy Facilities; -subpart Q, National Emission Standards for Radon Emissions from Department of Energy Facilities.
Part 82	Protection of Stratospheric Ozone
Part 110	Discharge of Oil
Part 112	Oil Pollution Prevention
Part 116	Designation of Hazardous Substances
Part 117	Determination of Reportable Quantities for Hazardous Substances
Part 136	Guidelines Establishing Test Procedures for the Analysis of Pollutants
Part 171.4	Standards for Certification of Commercial Applicators
Part 257	Guidelines for Classification of Solid Waste Disposal Facilities and Practices, part 257.3-(1-8)
Part 262	Standards Applicable to Generators of Hazardous Wastes
Part 264.14	Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities; Security
Part 265	Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
Part 268.37	Land Disposal Restrictions; Waste specific prohibitions- ignitable and corrosive characteristic wastes whose treatment standards were vacated
Part 268.38	Land Disposal Restrictions; Waste specific prohibitions- newly identified organic toxicity characteristic wastes and newly listed coke by-product
Part 268.40	Land Disposal Restrictions; Applicability of treatment standards
Part 268.45	Land Disposal Restrictions; Treatment standards for hazardous debris
Part 268.48	Land Disposal Restrictions; Universal treatment standards
Part 300.125(c)	National Oil and Hazardous Substances Pollution Contingency Plan; Notifications and communications
Part 300.150(a)(c)(e)	National Oil and Hazardous Substances Pollution Contingency Plan; Worker health and safety

Part 300.300(b)(c)	National Oil and Hazardous Substances Pollution Contingency Plan; Operational Response Phases for Oil Removal
Part 300.305(c)	National Oil and Hazardous Substances Pollution Contingency Plan; Preliminary assessment and initiation of action
Part 300.405(b)(c) (d)(g)	National Oil and Hazardous Substances Pollution Contingency Plan; Discovery or notification
Part 302	Designation, Reportable Quantities, and Notification
Parts 350-372	SARA Title III
Part 374	Prior Notice of Citizen Suits
Part 761	Polychlorinated Biphenyls (PCBs) Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions except for 761.1; .3; .65(d)-(h); .70; .75; .80; .120; .123; .185; .187; .193
Part 1500-1508	Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act
	<b>Title 41 - Public Contracts and Property Management</b>
Part 60-1	Obligations of Contractors and Subcontractors
Part 60-2	Affirmative Action Programs
Part 60-3	Uniform Guidelines on Employee Selection Procedures
Part 60-4	Construction Contractors - Affirmative Action Requirements
Part 60-20	Sex Discrimination Guidelines
Part 60-30	Rules of Practice for Administrative Proceedings to Enforce Equal Opportunity Under the Executive Order 11246
Part 60-50	Guidelines on Discrimination Because of Religion or National Origin
Part 60-250	Affirmative Action Obligations of Contractors and Subcontractors for Disabled Veterans and Veterans of the Vietnam Era
Part 60-741	Affirmative Action and Nondiscrimination Obligations of Contractors and Subcontractors Regarding Individuals with Disabilities
Part 101	Public Contracts and Property Management
Part 101-20. 103	Physical Protection and Building Security
Part 109	Department of Energy Property Management Regulations
	<b>Title 43 – Public Lands: Interior</b>
Part 7.5(c)	Protection of Archeological Resources; Exemption of ARPA Permit
	<b>Title 48 – Federal Acquisition Regulations System</b>
Part 22.1	Basic Labor Policies
Part 31	Contract Cost Principles and Procedures
Part 45	Government Property
FAR 52.222-37	Employment Reports on Disabled Veterans and Veterans of the Vietnam Era

<b>Title 49 – Transportation</b>	
Part 171	General Information, Regulations, and Definitions
Part 172	Hazardous Material Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, and Training Requirements
Part 173	Shippers-General Requirements for Shipments and Packagings
Part 174	Carriage by Rail
Part 177	Carriage by Public Highway
Part 178	Specifications for Packagings
Part 211	Chapter II Federal Railroad Administration, Department of Transportation; part 211 Rules of Practice
Part 350-399	Chapter III Federal Highway Administration, Department of Transportation; part 350-399 Federal Motor Carrier Safety Regulations
<b>Title 50 – Wildlife and Fisheries</b>	
Part 402	Interagency Cooperation Endangered Species Act of 1973, as amended

<b>STATE AND LOCAL REGULATIONS</b>	
<b>State of Ohio Administrative Code (OAC)</b>	
901:5-11-02	Pesticides- General Safety Provisions, Supervision
901:5-11-03	Classification of Licenses, Examination
901:5-11-05	Storage, Disposal and Handling of Pesticides
901:5-11-07	Applicator Records
901:5-11-09	Requirements for Notice for Lawn Pesticide Applicators
3701-34	Department of Health- Public Health Council; Asbestos Hazard Abatement
3745-01-07	Environmental Protection Agency- Water use designations and statewide criteria
3745-07	Water Supply Works and Wastewater Works Personnel Certification; parts –01 through 016
3745-15	General Provisions on Air Pollution Control
3745-17-07	Particulate Matter Standards, Control of Visible Particulate Emissions from Stationary Sources
3745-19	Open Burning Standards
3745-20	Asbestos Emission Control
3745-21	Carbon Monoxide, Ozone, Hydrocarbon Air Quality Standards and Related Emission Requirements, parts 04; 07; 08; 09; 10
3745-25	Emergency Episode Standards
3745-26	I/M Program Rules and Regulations
3745-27	Solid Waste and Infectious Waste Regulations

3745-29	Industrial Solid Waste Landfill Facilities
3745-30	Residual Solid Waste Disposal
3745-31	Permit to Install New Sources of Pollution
3745-32	Section 401 Water Quality Certifications
3745-33-02	Ohio NPDES Permit Required
3745-33-03	Permit Applications
3745-33-04	Permit Actions; (D) Modification of Permits
3745-35	Air Permits to Operate and Variances
3745-50-36	Hazardous Waste Management System – General; Annual Hazardous Waste Permit Fees
3745-51	Identification & Listing of Hazardous Waste, parts –01 to –33
3745-52	Generator Standards, parts –11; -12; -20; -22; -23; 30-34; -40; -41; -42; -43; -44
3745-54	General Facility Standards – New Facilities
3745-55	Corrective Action, Closure, Post-Closure, and Financial Requirements
3745-58-60	Applicability and Requirements; Recyclable materials utilized for precious metal recovery
3745-58-70	Applicability and Requirements; Spent lead-acid batteries being reclaimed
3745-59	Land Disposal Restrictions, parts –03; -07; -09; - 40-44; -50
3745-65	Interim Standards – General Provisions, parts –11-18; -30-35; -37; -50-56; -70-77
3745-66	Closure and Post-Closure Under Interim Standards, Parts 70-77; 90-99; -991
3745-67	Surface Impoundments, Parts –22; -23; -26
3745-68-02	Landfills, Incinerators, Thermal Treatment, Miscellaneous Units; General operating requirements
3745-78	Air Pollution Control Fees
3745-95	Backflow Prevention and Cross-Connection Control
4101:2	Department of Commerce, Division of Industrial Compliance, Board of Building Standards
4101:4-3	General Requirements
4101:4-17	Repair and Inspection of Unfired Pressure Vessels
4101:8	Inspection: Ohio Pressure Piping Systems Rules (Code)
4101:9	Prevailing Wage, Minimum Wage and Minors
4101:9-1	Employment of the Handicapped
4101:9-4	Prevailing Wage Regulations
4101:11	Steam Engineers; personnel certification
4121	Industrial Commission: Administration and Director
4123	Bureau of Workers' Compensation
4736	State Board of Sanitation Engineers; personnel certification
<b>OHIO REVISED CODE (ORC)</b>	

921.06	Pesticides- Custom applicator license; fees
921.12	Limited commercial applicator license; fees
921.25	Prohibitions
1531.25	Division of Wildlife- Protection of species threatened with statewide extinction
3750.05	Emergency Planning- Facilities Subject to Regulation; Facility Emergency Coordinator

<b>Environmental Management Orders, Agreements, Permits</b>	
Administrative Consent Order (3-party agreement with DOE, USEPA and Ohio EPA), filed August 11, 1997 - amended original Administrative Order by Consent of 1989	
Annual Integrated Ground Water Monitoring Plan, November 2002	
Consent Decree with State of Ohio, filed August 29, 1989	
Director's Final Findings and Orders, United States Department of Energy, Portsmouth Gaseous Diffusion Plant, issued October 4, 1995	
Director's Final Findings and Orders issued March 18, 1999	
Federal Facility Compliance Agreement of 1992 for addressing TSCA/PCBs in the process buildings	
Ohio Consent Decree, Civil Action C2-89-732	
Ohio EPA's Director's Final Findings and Orders, March 18, 1999 (Integration Order for RCRA Units)	
Ohio EPA's Director's Final Findings and Orders, February 24, 1998 (Addresses DUF6 and lithium) - discussions currently ongoing between DOE and Ohio EPA to revise these DFFOs to address DUF6 cylinder transfers from ETPP and remove lithium that has been sold/dispositioned from the Orders	
Resource Conservation and Recovery Act Part B Permit (OH Permit #04-57-0680)	
Shutdown Highly Enriched Uranium Cascade Surveillance and Maintenance Plan, EMEF-HEU-110 Rev. 1	

<b>Portsmouth Environmental Permits and Registrations</b>				
<b>Permit/Registered Source</b>	<b>Source Number</b>	<b>Issue Date</b>	<b>Expiration Date</b>	<b>Status</b>
<b><i>Clean Air Act Permits</i></b>				
Permit to Install X-6002 Recirculating Hot Water Plant North Boiler, South Boiler and 2 Oil Storage Tanks	B007, B008, T101, T102	10/29/02	18 months from date of issue	Active
Permit to Operate X-326 L-cage Glove Box	P022	5/05/95	PTO renewal submitted 4/27/98	Active
Permit to Operate X-624 Groundwater Treatment Facility	P019		PTO renewal submitted 11/04/98 (PTO under appeal)	Active
Permit to Operate X-735 Landfill Cap and Venting System (northern portion)	P023	5/26/95	PTO renewal submitted 4/27/98	Active
Permit to Operate X-744G Glove Box	P007		PTO renewal submitted 11/04/98 (PTO under appeal)	Active

<b>Portsmouth Environmental Permits and Registrations</b>				
<b>Permit/Registered Source</b>	<b>Source Number</b>	<b>Issue Date</b>	<b>Expiration Date</b>	<b>Status</b>
Registered Source X-345 Emergency Generator	B005		None	Active
Registered Source X-345 Security Fuel Oil Tank	T005		None	Active
Registered Source X-623 Groundwater Treatment Facility	P018		None	Active
Registered Source X-7725 Fluorescent Bulb Crusher	P028		None	Active
Registered Source X-744G Oil Fired Furnace	B006		None	Active
Registered Source X-749 Contaminated Materials Disposal Facility	P027		None	Active
Registered Source X-744G Fuel Oil Tank (south)	T008		None	Source no longer operating
Registered Source X-744G Alumina Melter	P020		None	Source no longer operating
Registered Source X-735 Landfill Storage Piles	F006		None	Source no longer operating
<b><i>Clean Water Act Permits</i></b>				
NPDES Permit DOE	01O00000*HD	11/12/02	11/30/07	Active
Permit to Install X-622 Groundwater Treatment Facility	06-2951	11/20/90	None	Active
Permit to Install X-622T Groundwater Treatment Facility	06-3520	11/24/92	None	Active
Permit to Install X-623 Groundwater Treatment Facility	06-3528	1/09/96	None	Active
Permit to Install X-624 Groundwater Treatment Facility	06-3556	10/28/92	None	Active
Permit to Install X-625 Groundwater Treatment Facility	06-5733	3/12/99	None	Active
Permit to Install X-6002 Particulate Separator	06-6658	10/02/01	None	Active
U.S Army Corps of Engineers-Section 404, Nationwide Permit No. 6, Radiological Survey		4/30/97		
Permit to Install X-627 Groundwater Treatment Facility	06-07283	1/12/03	18 months from date of issue	Active
<b><i>Registrations</i></b>				
Underground Storage Tank Registration	6651067		Renewed Annually	Active