

LEGAL NOTICE

The U.S. Department of Energy Office of Legacy Management (LM) conducted a Five-Year Review of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) remedy at the Fernald Preserve. The purpose of the review was to ensure that the CERCLA remedy remains protective of human health and the environment.

The Fernald Preserve is located at 7400 Willey Road, Harrison, Ohio, on the site of the former Feed Materials Production Center, a uranium-processing facility that produced high-purity uranium metal products as the first step in America's nuclear weapons production cycle. The site's production mission began in 1951 and continued until 1989, when production operations ceased and Fernald's mission changed to environmental remediation. The comprehensive environmental remediation of the site was completed in 2006. As of October 29, 2006, the only active remedy implementation efforts remaining involved the continuation of the groundwater remedy. Groundwater remedy implementation is continuing.

The groundwater remedy consists of the following:

1. Extraction of contaminated groundwater from the Great Miami Aquifer to the extent necessary to provide reasonable certainty that final remediation levels have been attained at all affected areas of the aquifer.

2. Treatment of contaminated groundwater to the extent necessary to attain performance-based concentration discharge limits, mass-based discharge limits, and final remediation levels in the Great Miami River.

3. The following institutional controls (IC):

a. Continued federal ownership of the On-Site Disposal Facility (OSDF) site.

b. OSDF access restrictions (fencing, gates, and warning signs) will be controlled by proper authorization and is anticipated to be limited to personnel for inspection, custodial maintenance, or corrective action.

c. Restrictions on the use of property will be noted on the property deed before the property could be sold or transferred to another party.

d. Groundwater monitoring following closure of the OSDF.

e. Continuation of access controls at the Fernald Preserve, as necessary, during the conduct of remedial actions. Property ownership will be maintained by the federal government and will comprise the disposal facility and associated buffer areas.

f. Maintenance of remaining portions of the Fernald Preserve (outside the disposal facility area) under federal ownership or control (e.g., deed restrictions) to the extent necessary to ensure the continued protection of human health commensurate with the cleanup levels established by the remedy. If portions of the Fernald Preserve are transferred or sold at any future time, restrictions will be included in the deed, as necessary, and proper notifications will be provided as required by CERCLA. EPA must approve of all ICs, including types of restrictions and enforcement mechanisms, if the property is transferred or sold.

g. Maintenance of the on-property disposal facility, to ensure its long term performance and the continued protection of human health and the environment.

h. An environmental monitoring program conducted during and following remedy implementation to assess the short- and long-term effectiveness of remedial actions.

i. Provision of an alternative water supply to domestic, agricultural, and industrial users relying upon groundwater from the area of the aquifer exhibiting concentrations of contaminants exceeding the final remediation levels. The alternative water supply will be provided until such time as the area of the aquifer impacting the user is certified to have attained the final remediation levels.

4. Implementation of a long-term environmental monitoring program and a maintenance program to ensure the continued protectiveness of the remedy, including the integrity of the on-property disposal facility.

The focus of this Five-Year Review was to ensure that the remedies completed for Operable Units 1 through 4 remain protective of human health and the environment, the performance of the OSDF meets design criteria, the ongoing groundwater remedy continues to perform to design expectations, and the required institutional controls have been implemented and are effective. A review of all available operational data, environmental monitoring data, and site inspection reports since November 2006 are the basis of the following conclusions:

"The remedies completed for Operable Units 1, 2, 3, and 4 continue to be protective of human health and the environment.

"The remedy at Operable Unit 5 is expected to be protective of human health and the environment. In the interim, exposure pathways that could result in unacceptable risks are being controlled. Current groundwater monitoring data indicate that the groundwater remedy is functioning as required to achieve groundwater final remediation levels. The cap and liner systems of the OSDF are functioning as designed and are successfully containing waste materials. The volume of leachate generated from the OSDF is continuing to decline, and the leachate is being effectively collected and treated to minimize impacts on human health and the environment.

The Five-Year Review Report is available to members of the public at the Fernald Preserve Visitors Center at 7400 Willey Road, Harrison, Ohio, and on the Fernald Preserve website (<http://www.lm.doe.gov/land/sites/oh/fernaldfernald.htm>).

The next Five-Year Review Report is scheduled for completion in 2016.

Information on the CERCLA Five-Year Review process is available at the U.S. Environmental Protection Agency website (<http://www.epa.gov/superfund/cleanup/postconstruction/5yr.htm>).

For more information on the Fernald Preserve, visit the Fernald Preserve website at <http://www.lm.doe.gov/land/sites/oh/fernaldfernald.htm> or contact:

Fernald Preserve Public Affairs  
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