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**JUNE 1994 FERNALD SITE NATURAL RESOURCE TRUSTEE
WORKSHOP**

07/19/94

**C:RP:(EP):94-0027
FERMCO/DOE-FN RESOUR. TRUSTEE
21
LETTER**



Restoration Management Corporation

P.O. Box 398704 Cincinnati, Ohio 45239-8704 (513) 738-6200

July 19, 1994

U. S. Department of Energy
Fernald Environmental Management Project
Letter No. C:RP:(EP):94-0027

Mr. Don Henne
U.S. Department of Interior
Office of Environmental Policy and Compliance
U.S. Custom House
Room 217
200 Chestnut Street
Philadelphia, PA 19106

5789

C-000-900.5

Dear Trustee:

JUNE 1994 FERNALD SITE NATURAL RESOURCE TRUSTEE WORKSHOP

Enclosed please find a draft summary of the action items listed at the workshop for the Fernald Site Natural Resource Trustees in June 1994. Please review this summary and let me know if you have any questions or comments on the document. Any new or revised information that has been added to supplement the summary has been italicized for your convenience. For example, the next meeting date of the trustees will be sometime in August 1994, rather than July 1994 as originally proposed.

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As agreed during the workshop, I am also enclosing two draft letters from Pete Yerace to the National Oceanic Administration Agency (NOAA) and the U.S. Army Corps of Engineers (ACOE). As you may recall, the goal of writing and sending the letters is to determine 1) if and how NOAA may be a trustee for the Fernald site and 2) if the ACOE is interested in attending future trustee meetings as an interested party. Please note that I have not included the attachment referenced in the letter to NOAA. I would be happy to get the attachment for anyone who would like a copy.

The third item I am enclosing is a map of habitat types. This map was used during the presentations made to you in June 1994 and was not included in the presentation materials.

The final item I am enclosing is a revised list of Trustee representatives and FERMCO contact names, addresses, and telephone numbers.



Trustee Letter
Letter No. C:RP:(EP):94-0027
Page 2

Please contact me at (513)738-9363 if you have any questions or require additional information.

Sincerely,

Rebecca Bixby for Jennifer Mailander

Jennifer K. Mailander, Esq.
Regulatory Programs Division

JKM:nlt
Attachments

c: NRM File 4.7.8
Administrative Record
File Record Storage Copy 106.4.11.4
K. L. Alkema, FERMCO
R. J. Bixby, FERMCO
D. J. Brettschneider, FERMCO
J. R. Craig, DOE-FN
S. S. Gibson, MTC
J. J. Homer, FERMCO
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E. L. Osheim, DOE-FN
J. W. Reising, DOE-FN
E. P. Skintik, DOE-FN
M. J. Strimbu, FERMCO
A. C. Taylor, FERMCO
P. J. Yerace, DOE-FN
W. E. Woods, FERMCO

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Restoration Management Corporation

P.O. Box 398704 Cincinnati, Ohio 45239-8704 (513) 738-6200

July 19, 1994

U. S. Department of Energy
Fernald Environmental Management Project
Letter No. C:RP:(EP):94-0027

Mr. Bill Kurey
U.S. Fish & Wildlife Service
6950 American Parkway
Suite H
Reynoldsburg, OH 43068-4132

Dear Trustee:

JUNE 1994 FERNALD SITE NATURAL RESOURCE TRUSTEE WORKSHOP

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Regulatory Programs Division

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July 19, 1994

U. S. Department of Energy
Fernald Environmental Management Project
Letter No. C:RP:(EP):94-0027

Mr. Tom Schneider
Ohio Environmental Protection Agency
Office of Federal Facilities Oversight
Southwest District Office
401 East Fifth Street
Dayton, OH 45402-2911

Dear Trustee:

JUNE 1994 FERNALD SITE NATURAL RESOURCE TRUSTEE WORKSHOP

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Regulatory Programs Division

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W. E. Woods, FERMCO

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Restoration Management Corporation

P.O. Box 398704 Cincinnati, Ohio 45239-8704 (513) 738-6200

July 19, 1994

U. S. Department of Energy
Fernald Environmental Management Project
Letter No. C:RP:(EP):94-0027

Dr. Vanessa Steigerwald
Ohio Environmental Protection Agency
Division of Emergency & Remedial Response
1800 Watermark Drive
Columbus, OH 43215-1099

Dear Trustee:

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Jennifer K. Mailander, Esq.
Regulatory Programs Division

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Restoration Management Corporation

P.O. Box 398704 Cincinnati, Ohio 45239-8704 (513) 738-6200

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July 19, 1994

U. S. Department of Energy
Fernald Environmental Management Project
Letter No. C:RP:(EP):94-0027

Mr. Pete J. Yerace
U.S. Department of Energy
Fernald Field Office
P.O. Box 398705
Cincinnati, OH 45239-8705

Dear Trustee:

JUNE 1994 FERNALD SITE NATURAL RESOURCE TRUSTEE WORKSHOP

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Trustee Letter
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Please contact me at (513)738-9363 if you have any questions or require additional information.

Sincerely,

Rebecca Bixby for Jennifer Mailander

Jennifer K. Mailander, Esq.
Regulatory Programs Division

JKM:nlt
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A. C. Taylor, FERMCO
P. J. Yerace, DOE-FN
W. E. Woods, FERMCO

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Handwritten signature or initials

MEETING NOTES

SUBJECT: Natural Resource Trustee Workshop
MEETING DATE: June 6, 1994
LOCATION: FERMCO Fernald Office
ISSUE DATE: June 16, 1994 File Record Storage Copy 104.5

DISTRIBUTION: + Attendees ++ Part-time * Author of Notes

OEPA

+Graham Mitchell
 +Tom Schneider
 +Vanessa Steigerwald

DOE-FN

+Jack Craig
 +Johnny Reising
 +Pete Yerace

U.S. F&WS

+Bill Kurey

FERMCO

+Becky Bixby
 +John Homer
 +Steve Geary
 *+Jenny Mailander
 +Mark Jewett
 +Steve Oberjohn
 +Alicia Taylor
 +Angie Weisgerber
 +Eric Woods
 +Mike Strimbu
 Ken Alkema

DOE-HQ

+John Hall

MTC

Steve Gibson

Westinghouse Hanford

+Kathy Leonard

HNUS

+Jim Doenges

USEPA

Barb Mazur
 Jim Saric

DOI

Don Henne

Item/Description/Action

1. Define vehicle to provide future documentation/information to Trustees.
 - Operable Unit 5 Remedial Investigation presentation; this presentation includes discussion of ecological risk assessment.
 - Some of the information contained in the Fernald Citizens' Task Force (FCTF) briefing book would be helpful to the trustees.

Action to be taken:

- FERMCO will contact trustees to set a date for the presentation in *August* 1994.
- FERMCO will identify and make available the information from the FCTF briefing book.
- Trustees are to call J. Mailander to request any documents.

MEETING NOTES - Continued

Item/Description/Action

2. Integrate trustee activities and responsibilities into the Operable Unit 5 Remedial Investigation/Feasibility Study (RI/FS) process.

- Much of the information the trustees will need regarding natural resources will be contained in the Operable Unit 5 RI and FS documents.
- DOE-Fernald (DOE-FN) would like to avoid the conduct of a Natural Resource Damage Assessment (NRDA).
- Ohio Environmental Protection Agency (OEPA) expressed concern over whether there was adequate time to have input into the RI/FS process from a natural resource trustee perspective because of the RI/FS report schedule.
- DOE-FN will continue to gather natural resource information as needed, even after the RI/FS is complete.

Action to be taken:

- Supply the Trustees with the OU5 RI/FS documents and other related information.

3. Perform evaluation of conducting a NRDA (i.e., pros and cons):

- How does one define past releases from the site?
- Trustees need to determine if it would be appropriate to conduct a NRDA? If it would be determined to conduct a NRDA, Trustees need to discuss what a timeline for conducting a NRDA might be.
- If NRDA is not conducted, how do you quantify potential injury?
- Should an economist be involved to develop life cycle costs and/or total costs with escalation and overhead, associated with potential natural resource injury? Or life cycle costs and/or total costs with escalation and overhead costs associated with performance of NRDA?
- How would NRDA or use of an economist be funded?

Action to be taken:

- These topics need to be added to the agenda for a future meeting of the trustees.

4. Involvement of others in the trustee process:

- Public

MEETING NOTES - Continued

Item/Description/Action

- At the April 12, 1994 public workshop on natural resource trusteeship, DOE-Fernald committed to holding future public workshops to keep the public informed of trustee activities.
- Local Stakeholders
- Are there other participants that should be involved?
- J. Mailander met with Professor Applegate, chair of the FCTF to discuss the trustee process.
- Other potential trustees
- National Oceanic and Atmospheric Administration (NOAA)
- U.S. Army Corps of Engineers (ACOE)
- U.S. EPA
- U.S. EPA should be involved and kept informed of trustee activities.

Actions to be taken:

- Future meetings of the trustees will be held off-property so that meetings will be more accessible to the public.
- Trustee meetings will continue to be announced on the FERMCO Public Affairs calendar.
- Further discussion from trustees regarding local stakeholders is required - add to next meeting agenda.
- Continue to keep FCTF advised of trustee status.
- Letters to NOAA and ACOE will be drafted to request if either of these parties should be involved. Letter to NOAA will request NOAA to identify what resources it would be responsible for. Letter to ACOE will request ACOE to identify if they would like to participate in future trustee meetings. Drafts of these letters will be forwarded to the trustees for approval before distribution.
- Invite U.S. EPA to next trustee meeting and DOE-FN is to ensure the new ecological risk representative replacing Eileen Helmer is familiar with the ecological risk assessment.

MEETING NOTES - Continued

Item/Description/Action

5. Memorandum of Understanding/Agreement in Principle:

- An agreement between the trustees would be helpful to ensure the trustees would continue to work together and to determine operating procedures among the trustees.
- Such an agreement would take a considerable amount of time to draft and get approval from each of the trustees.

Action to be taken:

- Request copy and permission to distribute the Hanford site Trustee Strategy referenced by Kathy Leonard.
- Distribute copies of strategy to trustees, if acceptable to K. Leonard.

6. Next meeting:

- Date - *August* 1994
- Location - Former ERA building or Uno or Dos buildings.
- Time - focus meetings to 5-6 hours maximum.
- Telephone calls would be an acceptable alternative to meeting in person; should be made several weeks prior to the next Trustee meeting.

Action to be taken:

- J. Mailander will be contacting the trustees to establish a meeting date and to see if there is interest in setting up a teleconference.

7. Administrative Role:

- FERMCO will act in an administrative role, coordinating meetings, distributing meeting summaries, etc.

Action to be taken:

- A copy of the notebook distributed to trustees will be placed in the Public Environmental Information Center (PEIC) with the names, addressees, and telephone numbers of the trustee representatives.



Department of Energy
Fernald Environmental Management Project
P. O. Box 398705
Cincinnati, Ohio 45239-8705
(513) 648-3155

5789

DRAFT

DOE-2103-94

Mr. Herbert Harback
District Engineer
Army Corps of Engineers
Louisville District
Louisville, Kentucky 40201

Dear Mr. Harback:

PARTICIPATION IN FERNALD SITE NATURAL RESOURCE TRUSTEE COUNCIL

The purpose of this letter is to request the involvement of the U.S. Army Corps of Engineers (ACOE) in meetings with the Fernald Site Natural Resource Trustees. The U.S. Department of Energy (DOE) has initiated contact with trustees of natural resources at the Fernald site in Hamilton and Butler Counties, Ohio. Natural Resource Trustees have been identified pursuant to Executive Order 12580, 40 CFR 300.600, and 40 CFR 300.605. These trustees include the U.S. Department of Interior (DOI), the State of Ohio, represented by the Ohio Environmental Protection Agency (OEPA), and DOE.

An orientation meeting was held June 6, 1994, and it was decided among the trustees present to contact additional potential trustees and other stakeholders that may be involved in the restoration of Fernald site natural resources. While natural resource trusteeship has not been granted to the ACOE, you could nevertheless play an important role in trustee meetings because of your involvement with the mitigation of potential wetland impacts at the Fernald site. A letter was sent to you in October, 1993 requesting ACOE involvement; however, no response has been received. Please indicate whether or not ACOE wishes to attend the Fernald Site Natural Resource Trustee meetings as soon as possible.

If you have any questions or require additional information, please contact me at (513) 648-3161. Thank you for your time and cooperation in this matter.

Sincerely,

Pete J. Yerace
Engineer/Scientist

FN:Yerace

6878 2

cc:

Tom Schneider, OEPA
Vanessa Steigerwald, OEPA
Don Henne, U.S. DOI
Bill Kurey, U.S. F&WS
Ken Alkema, FERMCO
Becky Bixby, FERMCO
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Eric Woods, FERMCO
Jack Craig, DOE-FN
Elizabeth Osheim, DOE-FN
Johnny Reising, DOE-FN
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Department of Energy
Fernald Environmental Management Project
P. O. Box 398705
Cincinnati, Ohio 45239-8705
(513) 648-3155

5789

DRAFT

DOE-2112-94

Linda Burlington
General Counsel
U.S. Department of Commerce, NOAA
1825 Connecticut Avenue NW
Suite 604
Washington, D.C. 20235

Dear Ms. Burlington:

PARTICIPATION IN FERNALD SITE NATURAL RESOURCE TRUSTEE COUNCIL

The U.S. Department of Energy (DOE) has initiated contact with the Natural Resource Trustees for the Fernald site in Hamilton and Butler Counties, Ohio. Natural Resource Trustees have been identified pursuant to Executive Order 12580, 40 CFR 300.600 and 40 CFR 300.605. These trustees include the U.S. Department of Interior (DOI), the State of Ohio, represented by the Ohio Environmental Protection Agency (OEPA), and DOE.

An orientation meeting was held June 6, 1994, and it was decided among the trustees present to contact other potential trustees that may be a trustee for natural resources at the Fernald site. The Department of Commerce, and more specifically the National Oceanic and Atmospheric Administration (NOAA), is a potential natural resource trustee, due to the proximity of the Fernald site to the Great Miami River, which may be habitat for anadromous and/or catadromous fish.

Enclosed is a copy of the most recent Fernald Site Environmental Report. This report provides a good overview of the Fernald site and its remediation activities. Of particular interest to NOAA might be the Fish Sampling for Uranium section on page 91. In the nine years of sampling the Great Miami River by the University of Cincinnati, no anadromous or catadromous fish have been collected upstream or downstream of the Fernald site. Other documentation of fish in the Great Miami River support this finding¹.

The Fernald site Trustees are interested in learning whether or not NOAA thinks it may be a Trustee for the Fernald site. Should you determine that NOAA is not a natural resource trustee for the Fernald site, please notify me of your determination. If NOAA believes that it should be a trustee, please provide an explanation of how NOAA could be considered a natural resource trustee and for what resources it would be responsible. We would appreciate a response as soon as possible.

0872

If you have any questions or require additional information, please contact me at (513) 648-3161. Thank you for your time and cooperation in this matter.

Sincerely,

Pete J. Yerace
Engineer/Scientist

FN:Yerace

Enclosure: As Stated

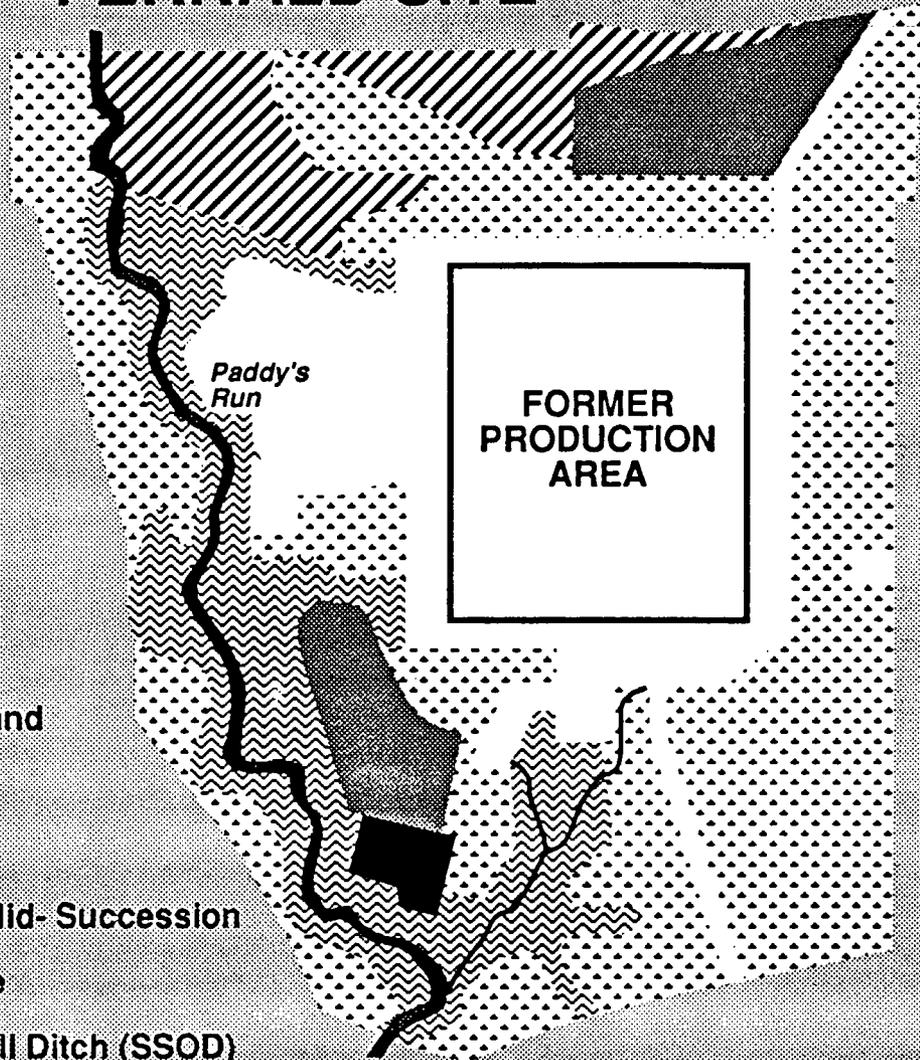
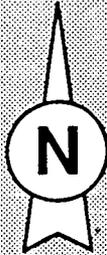
cc w/enc:

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¹Trautman, M. B. 1981. The Fishes of Ohio. Ohio State University Press, Columbus, Ohio. 782 pp.

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HABITAT TYPES PRESENT AT THE FERNALD SITE



Legend

-  Introduced Grassland
-  Planted Pines
-  Riparian
-  Woodlands Early/Mid- Succession
-  Inactive Flyash Pile
-  Storm Sewer Outfall Ditch (SSOD)

Note: Habitat Boundaries are Approximate.

Graphics 2857a.1 4/94

Fernald Site Natural Resource Trustee Representatives

Mr. Don Henne
U.S. Department of Interior
Office of Environmental Policy and Compliance
U.S. Custom House
Room 217
200 Chestnut Street
Philadelphia, PA 19106
OFFICE: (215) 597-5378
FAX: (215) 597-9845

Mr. Bill Kurey
U.S. Fish & Wildlife Service
6950 American Parkway
Suite H
Reynoldsburg, OH 43068-4132
OFFICE: (614) 469-6923
FAX: (614) 469-6919

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FAX: (614) 644-3146

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P.O. Box 398705
Cincinnati, OH 45239-8705
OFFICE: (513) 648-3161
FAX: (513) 648-3076

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FERMCO CONTACTS

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FAX: (513) 738-9150

Alicia C. Taylor
Natural Resource Management Department
OFFICE: (513) 738-6600
FAX: (513) 738-6958

W. Eric Woods, Manager
Natural Resource Management Department
OFFICE: (513) 738-8661
FAX: (513) 738-9213