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March 14, 2002

Mr. Gary Stegner
U.S. Department of Energy, Fernald Area Office
P.O. Box 538705
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 LINDA RYAN

RE: Master Use Plan Public Comments

Dear Mr. Stegner:

Ohio EPA has reviewed DOE's February 2002 "Master Plan for Public Use of the Fernald Environmental Management Project." The following comments are being provided to you as part of DOE's public comment period on the document:

1) General Comment

As shown by the public discussions both at the FCAB Stewardship Committee Mtg and the Master Plan hearing, the document is confusing in its use of various alternative use scenarios. The confusion is generated by the attempt to convert what was written as a Environmental Assessment under NEPA to a Master Plan. The document should be rewritten from its current format of "proposed actions" and "alternatives considered to one in which the Public Use Plan is clearly delineated. Then as a later section a simple discussion of the different uses considered and why they were excluded could be provided.

2) General Comment

In several sections of this document, the alternatives are presented for "Proposed Actions". However immediately following a Proposed Action, an argument is presented on why that particular alternative is **not** preferred. Through the course of reviewing the document, this becomes very confusing to the reader. If the argument for why an alternative is **not** preferred is to be presented immediately following the alternative's position, it would be best to have a separate heading which leads into "arguments."

3) Section 1.0, pages 1 & 2, lines 27-32 and 1-3

This paragraph refers to the 23 acre set-aside as being for economic development. As economic development has been negated by public comment, the word "economic" should be deleted. Additionally, since it is clear that the stakeholders want an educational component, and that an educational component will be part of the final use of the site, it should be part of the public use master plan. Because DOE is evaluating the feasibility of an onsite educational facility does not change the fact that stakeholders indicated an

Mr. Stegner
March 14, 2002
Page 2

overwhelming desire to have such a facility. The master plan is the correct forum for presenting this facility and as such should address this facility.

4) Section: 1.0, page 2, line #: 1-3

DOE should rewrite this paragraph to include information that was discussed on February 28, 2002. Specifically, that DOE is currently in consultation with all stakeholders and that the MUEF is within the scope of the Draft Comprehensive Stewardship Plan, Stewardship Committee and all other stakeholders. In addition, that the Master Plan and the Stewardship Plan will eventually merge into one document.

5) Section 2.0, page 3, line 32

Although the term recreational use is descriptive of the risk assessment used for the cleanup levels, this is not a risk assessment document and the term "recreational" is not consistent with the public use determined for the site. Use of the term "recreational" here will cause confusion and it is recommended that it be dropped so that the sentence reads "...for uses of the site consistent with the undeveloped park scenario."

6) Section #: 2.1 page 3 & 4, line #: 29-34/1-4

The last paragraph on page 3 and the first paragraph on page 4 are unclear. The sentences need to be rearranged for clarity. For example, Line 29 doesn't flow with the rest of the paragraph's ideas. It seems to make more sense to include Line 29 in the previous paragraph. Especially, since Lines 30-34 on page 3 and Lines 1-4 on page 4 are talking about cleanup goals and Line 29 is not. In addition, Line 31 ("FRLs are the cleanup goals...") should be the beginning sentence since it carries the main idea of the paragraph. Line 33 should follow, "For the FEMP," the FRL....," then Line 32, etc. Please look closely at both of the two paragraphs and rearrange for clarity.

7) Section 2.2., page 4, lines 11-28

The goal is to establish as mature a community as feasible for each of the habitat types so reference to establishing early stages as a goal should be changed. Also the communities are representative of pre-European settlement, but not pre-native American settlement. Native American settlement enhanced prairie and savanna habitat by burns by these early settlers. Reference to pre-settlement should reflect pre-European settlement.

8) Section 2.3, pg 5. Line6-7

The document should include specific language from the previous EA describing the status of the 23 acres. DOE's exclusion action on the 23 acres from this document only prolongs the uncertainty and requires additional NEPA actions by DOE.

9) Section 2.4, page 5, line 16

Mr. Stegner
March 14, 2002
Page 3

Oak savanna should be included as a restored habitat type.

10) Section #: 2.4 page 5 & 6

DOE should include information from the meeting of February 28, 2002 regarding the Draft Natural Resource Restoration Plan in this section. Specifically mention that this document parallel's the Land Use EA.

11) Section 2.5

This section should include specific language provided to DOE in the FCAB's recommendations on trails and the MUEF. Additionally public comments from the original Land Use EA which addressed public use of the property should be referenced within this document.

12) Section 3.2, page 8

As stated in Ohio EPA's comments on previous DOE documents, we believe the language in this section is overly restrictive. Though DOE may not intend to fund installation of more than 5 overlooks there is no reason to exclude the possibility of other overlooks being installed with non-DOE funding. Similarly the fact that DOE does not intend to fund more than a given length of trails or boardwalks should not limit future actions by other parties from installing additional such amenities should they be deemed appropriate.

13) Section 3.2, page 8

This section discusses the idea of Native American reburial. DOE states that "reburial could occur" on selected areas of the site and has their own contractor working to make this happen. However, according to a letter DOE wrote to the Co-Chair of the Native American Alliance of Ohio dated March 4, 2002 DOE's appears to have another intention?

14) Section 3.4, pg 9

What is a "suggested prohibited action?" The title should likely be revised to "Prohibited Actions." Additionally the opening paragraph should be revised to include language that allows the site manager/steward to provide exemptions to these rules for maintenance, monitoring or educational purposes.

15) Section #: 3.5, page 10 line #: 21-23

The sentence states that "environmental impacts of site maintenance will be addressed in a separate NEPA document." This statement is unclear and fails to provide any real information to the reader. What is DOE's intention with regard to additional NEPA documentation for the site? DOE's expressions at the Public Hearing seemed to be different than those stated here. Additional specificity with regard to what maintenance actions would require NEPA documentation and when that documentation would be developed should be provided. In addition, "Stewardship Plan" in line 23 should be

Mr. Stegner
March 14, 2002
Page 4

capitalized.

16) Section 3.5, page 10, line 17
Delete the word "evaluated".

17) Section #: 4.2

This section on "Limited Public Access" is confusing. It states that access to the Fernald site is "limited" however, biking and other activities such as rollerblading will be acceptable recreational activities. It's unclear as to how these activities are defined as "limited."

18) Sections 4 and 5

These sections are more appropriate to EA and not to the Mater Plan for Public Use and as such should be deleted from this document or revised for clarity.

19) Figure 3

The figure provided in the document is different from that provided at the Public Hearing. Some confusion exists as to which figure is out for public comment. Obviously the one provided at the public hearing had more public use amenities detailed on it. Ohio EPA believes a figure similar to that handed out at the meeting should be incorporated. However, we also believe the area available to potential trails should include the former production area, waste pit area and borrow area. Additionally, it is important to note in the document the amenities are simply conceptual at this time and will be developed as part of the on going NRDP process.

If you have any questions, please contact me at (937) 285-6466.

Sincerely,



Thomas A. Schneider
Fernald Project Manager
Office of Federal Facilities Oversight

cc: Jim Saric, U.S. EPA
Terry Hagen, FDF
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Mark Shupe, HSI GeoTrans
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