



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 REGIONS 5
 77 WEST JACKSON BOULEVARD
 CHICAGO, IL 60604-3590

MAR 30 2006

Mr. Johnny W. Reising
 United States Department of Energy
 Fernald Closure Project
 175 Tri-County Parkway
 Springdale, Ohio 45246

REPLY TO THE ATTENTION OF: SR-6J

RE: Legacy Management and
 Institutional Control Plan
 Revision D, Draft Final

Dear Mr. Reising:

The United States Environmental Protection Agency (U.S. EPA) has completed its review of the United States Department of Energy's (U.S. DOE) Responses to Comments (RTC) and the revised comprehensive Legacy Management and Institutional Control plan (LMIC), revision D, draft final.

The RTC appear to have addressed U.S. EPA's previous comments, however revision D appears to be written assuming that the Site is closed. Obviously, this is not the case. The document needs to address specific completion dates for various closure activities to make the document accurate. Further, revision D has also submitted revisions to the various attachments to the document. U.S. EPA has enclosed comments on the entire document.

Therefore, U.S. EPA disapproves revision D of the LMIC and its associated attachments. U.S. DOE must submit responses to comments and a revised document within (30) thirty days receipt of this letter.

Please contact me at (312) 886-0992 if you have any questions regarding this matter.

Sincerely,

James A. Saric
 Remedial Project Manager
 Federal Facilities Section
 SFD Remedial Response Branch #2

Enclosure

cc: Tom Schneider, OEPA-SWDO
 Con Murphy, Fluor Fernald
 Frank Johnston, Fluor Fernald

