

7200



**Department of Energy**

**Ohio Field Office  
Fernald Closure Project  
175 Tri-County Parkway  
Springdale, Ohio 45246**



JUN 29 2006

Mr. James A. Saric, Remedial Project Manager  
United States Environmental Protection Agency  
Region V-SRF-5J  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

DOE-0154-06

Mr. Thomas Schneider, Project Manager  
Ohio Environmental Protection Agency  
Southwest District Office  
401 East Fifth Street  
Dayton, Ohio 45402-2911

Mr. Dave Duvalt  
United Fish and Wildlife Services  
Regional Office – Federal Building  
Fort Snelling, Minnesota 55111

Dear Mr. Saric, Mr. Schneider, and Mr. Duvalt:

**TRANSMITTAL OF THE REVISED COMPREHENSIVE LEGACY MANAGEMENT AND INSTITUTIONAL CONTROLS PLAN, REVISION 1, FINAL AND RESPONSES TO U.S. AND OHIO ENVIRONMENTAL PROTECTION AGENCY COMMENTS ON THE LEGACY MANAGEMENT AND INSTITUTIONAL CONTROLS PLAN, FINAL, REVISION 0**

- References:
- 1) Email, J. Saric to J. Reising, "Additional Comments on the LMICP, Rev D", dated May 18, 2006
  - 2) Letter, J. Saric to J. Reising, "U.S. Environmental Protection Agency Comments on Comprehensive Legacy Management and Institutional Controls Plan Volume I and II (20013-PL-0001) Revision 0, Final", dated April 30, 2006
  - 3) Letter, T. Schneider to J. Reising, "Ohio Environmental Protection Agency Technical Review Comments on the Final Comprehensive Legacy Management and Institutional Controls Plan, Revision 0, Final", dated March 30, 2006
  - 4) Letter, J. Reising to J. Saric, T. Schneider, D. Duvalt, "Transmittal of Responses to U.S. and Ohio Environmental Protection Agency Comments of the Final Legacy Management and Institutional Controls Plan, Revision 0", dated May 31, 2006

Mr. James Saric  
Mr. Thomas Schneider  
Mr. Dave Duvall

-2-

DOE-0154-06

This letter transmits to the U.S. Environmental Protection Agency (EPA) and Ohio Environmental Protection Agency (OEPA) the Final Comprehensive Legacy Management and Institutional Controls Plan (LMICP), Revision 1 and the associated comment response document (Enclosure 1) to address EPA and OEPA comments (References 1 through 3).

The revised LMICP primarily incorporates text included in the comment response document. Updates to the documents (Volume I, Volume II, and Volume II attachments) are identified in summary tables of changes (Enclosure 2), which are included as an enclosure to this transmittal letter. Note that during the revision of these documents, several of the draft comment responses, previously submitted to the EPA and OEPA (Reference 4), needed to be slightly modified. These modifications are indicated in the comment response document through track changes in order to facilitate the review.

Some of the additional modifications to the documents include references to Legacy Management documents such as the:

- Office of Legacy Management Sampling and Analysis Plan (OLM SAP)
- Fernald Legacy Management Health and Safety Plan
- Legacy Management CERCLA Site Quality and Assurance Project Plan (LM QAPP)

It should be noted that the existing Fernald site Sitewide CERCLA Quality Assurance Project Plan (SCQ) will be referenced in the LM QAPP.

As indicated above, all support plans that are included with the LMICP have been updated and are included in this final version. The LMICP goes into effect the day the DOE Office of Legacy Management (DOE-LM) takes over operational responsibility of the Fernald site. This will occur when the DOE Office of Environmental Management (DOE-EM) makes a determination of reasonableness on Fluor Fernald's Declaration of Physical Completion (DPC). Fluor's DPC is currently projected to be August 20, 2006. This document reflects what the conditions will be on-site when DOE-LM assumes operational responsibility. The DOE-LM has been working closely with the DOE-EM and Fluor Fernald, Inc., to develop the LMICP.

For the June 2006 LMICP submittal, each document (attachment/support plan), included as part of the LMICP, is written to address final remediation and post-closure activities. During October 2006, necessary updates to address further post-closure refinements will be made through change pages or document re-submittals as necessary. Upon EPA and OEPA approval, it is anticipated that the LMICP will be FINAL each year by January to correspond with calendar year monitoring and reporting (between October and January, EPA and OEPA comments will be addressed).

Mr. James Saric  
Mr. Thomas Schneider  
Mr. David Duvalt

-3-

DOE-0154-06

The future LMICP schedule will be as follows:

- Each June the annual site environmental reports will be submitted that will make recommendations based on the previous years monitoring information.
- Each October, an annual review of the LMICP will be submitted to identify updates as necessary.
- Each January, the document will be finalized to correspond with the monitoring and reporting schedule.

After submittal of the full document in June 2006, the next full revision will occur in October 2007. Additionally, pertinent information associated with the CERCLA five-year reviews will be included in the LMICP revisions as needed.

If you have any questions regarding this matter, please contact me at 513-648-3139.

Sincerely,



Johnny W. Reising  
Director

Enclosures: As Stated

G. Stegner, DOE-OH  
M. Lutz, S.M. Stoller Corp.  
S. Marutzky, S.M. Stoller Corp.  
J. Powell, DOE-LM/FCP, MS2  
M. Cullerton, Tetra Tech  
M. Miller, S.M. Stoller Corp., MS2  
M. Murphy, USEPA-V, A-18J  
G. Jablonowski, USEPA-V, SR-6J  
D. Sarno, FCAB  
T. Schneider, OEPA (3 copies of enclosure)  
M. Shupe, HSI GeoTrans  
S. Helmer, ODH

7200

Mr. James Saric  
Mr. Thomas Schneider  
Mr. David Duvalt

-4-

DOE-0154-06

cc w/o enclosure:

H. Bilson, Fluor Fernald, Inc., MS1  
J. Chiou, Fluor Fernald, Inc., MS88  
B. Hertel, Fluor Fernald, Inc., MS12  
J. Homer, S.M. Stoller Corp., MS12  
F. Johnston, Fluor Fernald, Inc., MS12  
L. McHenry, S.M. Stoller Corp., MS12  
P. Mohr, Fluor Fernald, Inc. MS1  
C. Murphy, Fluor Fernald, Inc., MS1  
D. Sizemore, Fluor Fernald, Inc., MS1  
M. Sucher, Fluor Fernald, Inc., MS99  
C. Tabor, S.M. Stoller Corp., MS12  
T. Terry, Fluor Fernald, Inc., MS1  
S. Walpole, S.M. Stoller Corp., MS76