



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

November 18, 2014

Ms. Gwen Hooten
Fernald Preserve Site Manager
US Department of Energy
Office of Legacy Management
10995 Hamilton-Cleves Highway
Harrison, Ohio 45030

**RE: Fernald Preserve
General Correspondence
Remedial Response
Hamilton County
531000297**

**Subject: COMMENTS – COMPREHENSIVE LEGACY MANAGEMENT AND
INSTITUTIONAL CONTROLS PLAN, VOLUME I AND II, SEPTEMBER 2014**

Dear Ms. Hooten:

The Ohio Environmental Protection Agency (Ohio EPA) has received and reviewed the "Comprehensive Legacy Management and Institutional Controls Plan, Volumes I and II," dated September 2014. Ohio EPA comments are included.

If there are any questions, please contact me at (937) 285-6466.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Schneider".

Thomas A. Schneider
Fernald Project Manager
Division of Environmental Response and Revitalization
Federal Facilities Section

ec: David Seely, US EPA
Bill Hertel, Stoller Corp.

Enclosure

TAS/bp

Ohio EPA Draft Comments on:
Comprehensive Legacy Management and Institutional Controls Plan
Volumes I and II
November 2014

Volume II

1. Commenting Organization: Ohio EPA
Section #: 2.1.3.3 Pg #:15
Comment: In the first paragraph of this section, in the sentence that begins "Field walkdowns are conducted...to document the presence of newly formed erosion or debris,...." To add clarity, please rearrange this to read, "...to document the presence of *debris and newly formed erosion*,..."

2. Commenting Organization: Ohio EPA
Section #: 2.1.3.3 Pg #: 15
Comment: Please retain the last sentence of the first paragraph in this section that reads, "However, vegetation establishment and terrain often require that the inspection team split up in places." This allows for a more realistic description of the inspection, beyond the optimal "police line."

3. Commenting Organization: Ohio EPA
Section #: 2.1.3.3 Pg #: 15
Comment: Toward the end of the third paragraph please add a sentence to further clarify the reasons for the inspection changes. Between the 5th and last sentence of this new paragraph, consider inserting a sentence like, "...with the quadrants identified in Figure 3. *Performing walkdowns of the four quadrants during these less vegetated months will optimize visibility of site conditions as well as access to more areas. Point-specific...*"

4. Commenting Organization: Ohio EPA
Section #: 3.2.1 Pg #: 28
Comment: In Table 4, item #2 under Scope, please clarify that regulators will be immediately notified of an unscheduled contingency inspection following a significant natural event. It is okay for the reporting period to be changed from 30 to 60 days. It is not okay for the notification to take up to 60 days.

Appendix D

5. Commenting Organization: Ohio EPA
Section #: 2.1 Pg #: 3
Comment: The last three sentences were unnecessarily deleted. Do not delete this important explanation of procedures followed in the event of a LCS valve house alarm.

Ohio EPA Draft Comments on:
Comprehensive Legacy Management and Institutional Controls Plan
Volumes I and II
November 2014

6. Commenting Organization: Ohio EPA
Section #: 3.2 Pg #: 6
Comment: There may be a good explanation of why these EPLTS inspection and maintenance activities were deleted. Please clarify.

Attachment E

7. Commenting Organization: Ohio EPA
Section #: 2.0 Pg #: 4
Comment: In the first paragraph at the top of the page, please retain the last two sentences that were omitted. The sentences concern "federal ownership in perpetuity" and should be retained in the Community Involvement Plan.