

**Annual Assessment of the
Effectiveness of
Institutional Controls
at the Mound, Ohio, Site
Miamisburg, Ohio**

June 2015



U.S. DEPARTMENT OF
ENERGY

Legacy
Management

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Contents

Abbreviations.....	iv
1.0 Introduction.....	1
2.0 Period of Review.....	2
3.0 Scope of Assessment.....	2
4.0 Records of Decision.....	3
5.0 Overview of Institutional Controls.....	6
6.0 Aerial View of the Mound Site Property.....	8
7.0 Summary of 2014 Annual Assessment and 2011 CERCLA Five-Year Review.....	8
7.1 2014 Annual Assessment.....	8
7.1.1 Summary.....	8
7.1.2 Recommendations or Findings.....	8
7.2 2011 CERCLA Five-Year Review.....	10
7.2.1 Five-Year Review Summary.....	10
7.2.2 Five-Year Review Recommendations.....	10
7.2.3 EPA-Identified Issues to Be Addressed in the 2016 Five-Year Review.....	10
8.0 Physical Inspections Performed.....	10
8.1 Preliminary Inspections.....	10
8.2 Physical Walkdown with Regulators.....	11
8.3 Results of Physical Inspections.....	13
8.3.1 Summary.....	13
8.3.2 Erosion and Drainage Issues.....	13
8.3.2.1 New Casing and Concrete Apron at Well 0346.....	13
8.3.2.2 Debris in Stormwater Drain.....	13
8.3.2.3 Improved Drainage Around Well 0353.....	14
8.3.3 Improved Condition of Roadway.....	15
8.3.4 OU-1 Pump-and-Treatment System.....	15
8.3.5 T Building Special IC Areas.....	15
8.3.5.1 Corrected Source of Water in Special IC Area Rooms.....	15
8.3.5.2 Sealed Cracks in the Red Concrete.....	17
8.3.6 Signs in Place.....	18
8.3.7 Developed Crosswalk of Mound Site Monitoring Wells with ODNR Numbers.....	18
8.3.8 Other Observations near Monitoring Wells 0301 and 0311.....	19
9.0 Interviews and Record Reviews.....	19
9.1 Interviews with Property Owners.....	19
9.1.1 Mound Site Landowners - Institutional Control Compliance Form.....	19
9.1.2 City of Miamisburg.....	20
9.1.3 MDC.....	20
9.1.4 BOI Solutions.....	20
9.1.5 Dyrdek Group.....	20
9.2 Records Reviews.....	20
9.2.1 City of Miamisburg.....	20
9.2.2 MDC.....	23
9.2.3 Montgomery County Property Records.....	23
9.2.4 Property Ownership Status and Agreements.....	24
9.2.4.1 MDC Sold Property.....	24

9.2.4.2	MDC and City of Miamisburg Resurveyed and Replatted Lots	24
9.2.4.3	Sales Agreement Between EMCBC and MDC for Parcels 6–9 Is Deferred	24
9.2.4.4	General Purpose Lease Between EMCBC and MDC for Parcels 6–9	26
9.2.4.5	MDC and City of Miamisburg Property Ownership and Agreements	26
10.0	Conclusions	26
11.0	Recommendations	26
12.0	Contact Information	27
13.0	References	28

Figures

Figure 1.	Mound Site ROD Parcels.....	4
Figure 2.	Parcel H Soil-Removal Exclusion Area Within the Original Mound Site Boundary.....	7
Figure 3.	Mound Site Looking North (March 2011).....	9
Figure 4.	Frank Bullock, MDC, explains the T Building layout to walkdown participants. ..	12
Figure 5.	Walkdown participants examine the cracks in the red concrete that had been filled with sealant.	12
Figure 6.	IC Walkdown included a stop at the Resource Conservation and Recovery Act (RCRA) Burn Area. (Left-to-right is Anthony Campbell and Brian Nickel, Ohio EPA; David Seely, EPA; and Chuck Friedman, SN3.).....	12
Figure 7.	Frank Bullock, MDC, and Gwen Hooten, LM Site Manager, in the CRA Burn Area near the Salt Shed.....	12
Figure 8.	Becky Cato on the right describes the current activities in the OU-1 area to walkdown participants from Ohio EPA and Ohio Department of Health.	12
Figure 9.	Brian Nickel, Ohio EPA; Becky Cato, SN3; David Seely, EPA; and Allison Reed, Ohio EPA, discuss the LM OU-1 activities.	12
Figure 10.	In 2014, well 0346 was affected by erosion in the area.	13
Figure 11.	In 2015, well 0346 in 2015 had above-ground casing and a concrete apron.	13
Figure 12.	Stormwater drain east of OU-1 clogged with debris in 2014.	14
Figure 13.	Stormwater drain east of OU-1 in 2015.....	14
Figure 14.	Well 0343 in 2014 was affected by poor drainage in the area.	14
Figure 15.	Well 0343 in 2015 with drain tiles and gravel added to the surrounding area.	14
Figure 16.	Roadway erosion in 2014.....	15
Figure 17.	Gravel added in 2015.....	15
Figure 18.	Gary Weidenbach, SN3, near the repaired sump pump in the T Building.	16
Figure 19.	Water was observed in Room T-57 in 2014.	16
Figure 20.	Floor was dry in Room T-57 in 2015.....	16
Figure 21.	Water was observed in Room T-58 in 2014.	16
Figure 22.	Floor was dry in Room T-58 in 2015.....	16
Figure 23.	Roy Mowen and Gary Weidenbach, SN3, photograph sealed cracks during pre-inspection.....	17
Figure 24.	Sealed crack in red concrete showing edge and thickness of concrete cap.	17

Figure 25.	Sealed cracks in red concrete in IC-10 open bay area.	17
Figure 26.	Sealed cracks in red concrete in IC-21 area, Room T-59.	17
Figure 27.	Mound site Outfall 003 with new sign required by Ohio EPA.	18
Figure 28.	Close up of new sign at Outfall 003.	18
Figure 29.	Green flags near offsite groundwater monitoring wells 0301 and 0311. These are flush-mount wells that appear as gray circles in this photo. Photo is looking west toward Great Miami River levy.	19
Figure 30.	One of the two monitoring wells in the park behind the City of Miamisburg sewer pumping station.	19
Figure 31.	Mound Site Parcels, Buildings, and Ownership	25

Tables

Table 1.	Mound Site ROD and CERCLA 102(h) ES Information	3
Table 2.	Summary of RODs, Remedies, ICs, and Legal Enforcement Instruments	5
Table 3.	Building Identifications, Street Addresses, and Ownership	21
Table 4.	City of Miamisburg Permit Files for Mound Site (April 1, 2014, to March 31, 2015).....	22
Table 5.	City of Miamisburg Files—Planning Commission and Other Reviews	22
Table 6.	Outstanding Recommendations from Previous Annual Assessments or CERCLA Five-Year Review Inspections of ICs	26
Table 7.	Recommendations from 2015 Annual Inspection for ICs	27

Appendixes

Appendix A	Annual Assessment Checklist for the Mound Site Inspections Conducted in March and April 2015
Appendix B	Example of Real Estate Easement for Utility Work Performed on MDC Property
Appendix C	T Building Rooms with Special ICs—Mound Core Team Guidance and 2010 Baseline Photos
Appendix D	Photos in 2015 of T Building Red Concrete Cracks
Appendix E	Property Information
Appendix F	Aerial Photo with ROD Parcel Boundaries, March 2011

Abbreviations

Bldg.	Building
Blvd.	Boulevard
BOI	BOI Solutions Inc.
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CIP	Community Involvement Plan
CRP	Comprehensive Reuse Plan
Ct.	Court
DOE	U.S. Department of Energy
EMCBC	Environmental Management Consolidated Business Center
EPA	U.S. Environmental Protection Agency
ES	Environmental Summary
IC	institutional control
LM	Office of Legacy Management
LTS&M Plan	Long-Term Surveillance and Maintenance Plan
MDC	Mound Development Corporation (formerly MMCIC)
MMCIC	Miamisburg Mound Community Improvement Corporation
O&M Plan	Operations and Maintenance
ODH	Ohio Department of Health
ODNR	Ohio Department of Natural Resources
Ohio EPA	Ohio Environmental Protection Agency
OU-1	Operable Unit 1
RCRA	Resource Conservation and Recovery Act
ROD	Record of Decision
SN3	Stoller Newport News Nuclear, Inc., a wholly owned subsidiary of Huntington Ingalls Industries, Inc.
VOC	volatile organic compound

1.0 Introduction

This report documents the U.S. Department of Energy (DOE) Office of Legacy Management (LM) 2015 annual assessment of the effectiveness of sitewide institutional controls (ICs) for the entire Mound, Ohio, Site¹ in Miamisburg for the period from May 1, 2014, to April 30, 2015.

ICs, which are part of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) remedies for the site, are non-engineered instruments, such as administrative and legal controls, that help minimize the potential for human exposure to contamination and protect the integrity of the remedy. The site has completed all CERCLA Section 120(h) requirements for property transfer as an industrial-use site.

The annual IC assessment process and this IC assessment report follow requirements in three documents that make up the Long-Term Stewardship Plan for the Mound site:

- *Operations and Maintenance Plan for the U.S. Department of Energy Mound, Ohio, Site* (DOE 2015c) (O&M Plan)
- *Long-Term Surveillance and Maintenance Plan for the U.S. Department of Energy Mound, Ohio, Site* (DOE 2015b) (LTS&M Plan)
- *Community Involvement Plan for the U.S. Department of Energy Mound, Ohio, Site* (DOE 2015a)

The Mound site ICs are defined in the Records of Decision (RODs) and the CERCLA 120(h) Summary Notice of Hazardous Substances Environmental Summaries (ESs) listed in Table 1. The ICs were developed with input from the public; the City of Miamisburg, Ohio; the U.S. Environmental Protection Agency (EPA); the Ohio Environmental Protection Agency (Ohio EPA); the Ohio Department of Health (ODH); and the Mound Development Corporation (MDC), formerly named the Miamisburg Mound Community Improvement Corporation (MMCIC).

The Mound site ICs run with the land in the form of (1) restrictions and covenants in quitclaim or limited warranty deeds or (2) activity and use limitations in the environmental covenant and the lease agreement.

Although not an IC, groundwater monitoring is required by CERCLA remedies for some land parcels. The groundwater monitoring information for the Phase I Parcel and Parcels 6, 7, and 8 is presented in an annual groundwater monitoring report due June 13 of each year.

This annual IC assessment determined that the ICs continue to function as designed, adequate oversight mechanisms are in place to identify possible violations of ICs, and adequate resources are available to correct or mitigate any problems if violations occur.

¹ The Mound site has also been called the Mound Laboratory, Mound Laboratories, the Mound Plant (EPA ID OH6890008984), the USDOE Mound Plant, the Mound Facility, the USDOE Mound Facility, the Miamisburg Environmental Management Project (MEMP), and the Miamisburg Closure Project (MCP). Currently, LM uses Mound, Ohio, Site as the formal name of the site.

2.0 Period of Review

This annual assessment covers the period from May 1, 2014, to April 30, 2015. It identifies information that is new since the last reporting period, such as new construction, demolition, or excavation; lot-splits or the sale of parcels to new landowners; and new permit applications filed by property owners or their agents. Previous annual assessments are available in the CERCLA Public Reading Room and online at the LM Mound website (<http://www.lm.doe.gov/land/sites/oh/mound/mound.htm>).

LM contacted EPA, Ohio EPA, ODH, MDC, and the City of Miamisburg 30 days before the visual inspection. DOE submits the annual IC assessment report to EPA and Ohio EPA no later than June 13 of each year.

3.0 Scope of Assessment

To evaluate changes in the site that could indicate an IC violation, this IC assessment included:

- Physical inspections of the site, including photos of changed conditions related to ICs.
- Contact with the property owners to ensure that they understand the ICs.
- Contact with MDC and City of Miamisburg personnel to review the ICs.
- Reviews of City of Miamisburg records to examine changed conditions, such as:
 - Permits, including construction, street-opening, and occupancy.
 - Planning-commission records.
 - Zoning modifications.
 - Requests for approvals of parking lots and other changes that do not require building permits.
- Reviews of any IC-related requests to EPA and Ohio EPA to approve land uses, soil removal, groundwater use, penetration, and removal of concrete in the T Building (Bldg.).
- Reviews of Montgomery County property records to determine if property ownership has changed and to ensure that IC restrictions were carried forward into the legal property documents, and searches for correspondence from property owners that notified Ohio EPA of property transfers as required by quitclaim deeds.
- Reviews of the Ohio Department of Natural Resources website and the posted well-drilling information to determine if unauthorized wells were drilled onsite.
- A walkdown with EPA, Ohio EPA, ODH, the City of Miamisburg, and MDC on April 16.

IC inspectors followed the checklist in Appendix A.

Groundwater monitoring is also part of the CERCLA remedies for Phase I, Operable Unit (OU) 1, and Parcels 6, 7, and 8, but it is not an IC. Information on groundwater monitoring for Phase I and Parcels 6, 7, and 8 is included in an annual groundwater monitoring report. The OU-1 pump-and-treatment and groundwater monitoring analysis, which is currently reported in

Environmental Restoration Monthly Reports, will be included in the annual groundwater monitoring report when the OU-1 exit strategy is finalized.

4.0 Records of Decision

Table 1, taken from the O&M Plan, lists the eight Mound site RODs with the ROD and CERCLA 102(h) ES titles and their approval dates. These RODs define the CERCLA remedies that include the ICs.

Table 1. Mound Site ROD and CERCLA 102(h) ES Information

ROD Parcel ID	Document	Approval Date
D	<i>Record of Decision for Release Block D</i> , Final (DOE 1999c)	February 1999
	<i>CERCLA 120(h) Summary Notice of Hazardous Substances, Release Block D, Mound Plant, Miamisburg, Ohio</i> , Final (DOE 1999a)	
H	<i>Record of Decision for Release Block H, Mound Plant, Miamisburg, Ohio</i> , Final (DOE 1999d)	June 1999
	<i>CERCLA 120(h) Summary Notice of Hazardous Substances for Release Block H, Mound Plant, Miamisburg, Ohio</i> , Final (DOE 1999b)	July 1999
3	<i>Parcel 3 Record of Decision, Mound Plant, Miamisburg, Ohio</i> , Final (DOE 2001b)	September 2001
	<i>Parcel 3 Environmental Summary, CERCLA 120(h) Summary Notice of Hazardous Substances, Mound Plant, Miamisburg, Ohio</i> , Final (DOE 2001a)	
4	<i>Parcel 4 Record of Decision, Mound Plant, Miamisburg, Ohio</i> , Final (DOE 2001d)	February 2001
	<i>Parcel 4 Environmental Summary, CERCLA 120(h) Summary Notice of Hazardous Substances, Mound Plant, Miamisburg, Ohio</i> , Final (DOE 2001c)	March 2001
6, 7, 8 (includes former Parcel 6A)	<i>Parcels 6, 7, and 8 Record of Decision, Miamisburg Closure Project, Miamisburg, Ohio</i> , Final (DOE 2009)	August 2009
	<i>Parcels 6, 7, and 8 Environmental Summary, CERCLA 120(h) Summary Notice of Hazardous Substances</i> , Final (DOE 2010)	August 2010
9 (OU-1 and expanded area)	<i>Operable Unit 1 Record of Decision</i> , Final (DOE 1995)	June 1995
	<i>Parcel 9 Environmental Summary, CERCLA 120(h) Summary Notice of Hazardous Substances</i> , Final (DOE 2011b)	July 2011
	<i>Amendment of the Operable Unit 1 Record of Decision, U.S. Department of Energy, Mound Closure Project</i> , Final (DOE 2011a)	August 2011
Phase I (A, B, C)	<i>Phase I Record of Decision, Miamisburg Closure Project</i> , Final (DOE 2003b)	July 2003
	<i>Phase I Environmental Summary, CERCLA 120(h) Summary Notice of Hazardous Substances, Miamisburg Closure Project</i> , Final (DOE 2003a)	December 2003
OU-4	<i>Miami-Erie Canal Record of Decision, Miamisburg Closure Project</i> , Final, Revision 0 (DOE 2004)	September 2004
	OU-4 was on City of Miamisburg property, so no ES was required or issued	

Table 2, also taken from the O&M Plan, summarizes the final ROD parcel identifications (IDs, dates, acreages, remedies, legal enforcement instruments, and IC objectives).

Figure 1 shows the ROD parcels outlined in purple within the 1998 Mound Plant property boundary. The OU-4 former canal area located west of the site is outlined in gold.

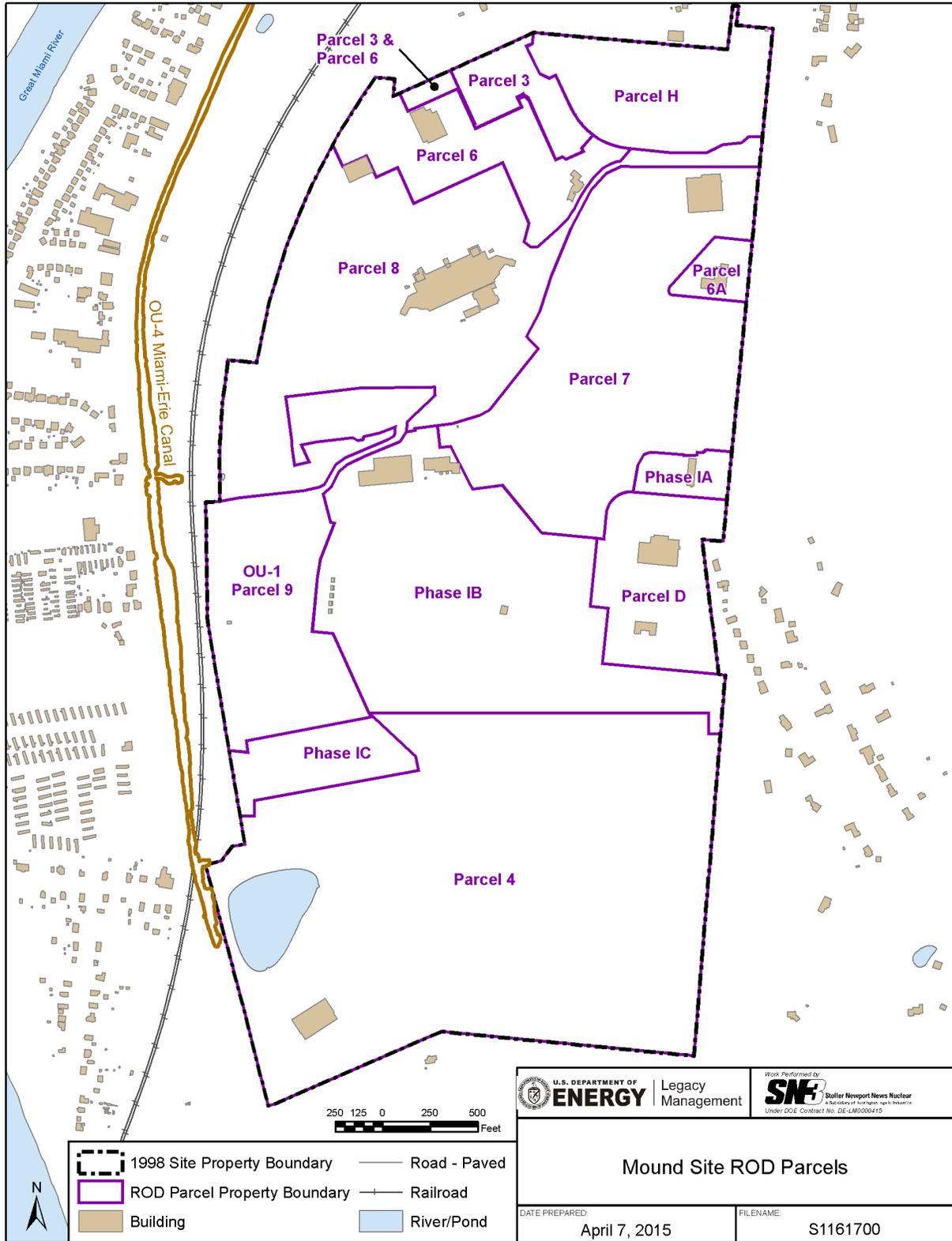


Figure 1. Mound Site ROD Parcels

Table 2. Summary of RODs, Remedies, ICs, and Legal Enforcement Instruments

ROD Parcel ID	Former Names	ROD Date	Acreage in ROD	Remedy	Owner	Legal Enforcement Instrument	Objectives of ICs
OU-1	Area B, landfill area	1995	See Parcel 9	See Parcel 9	See Parcel 9	See Parcel 9	Restrict land use to industrial only.
D	Portion of Release Block D 5.519 acres	1999		ICs	Dyrdek Group	Deed restrictions in Limited Warranty Deed dated December 23, 2014 (File # 2014-00069587)	
D	Release Block D	1999	12.43	ICs	MDC and City of Miamisburg	Deed restrictions in quitclaim deed dated February 11, 2009 and quitclaim deed November 13, 2013 (File # 2013-00079430)	Prohibit the use of groundwater.
H	Release Block H	1999	14.29	ICs			
3	None	2001	5.581	ICs			
4	New or South property ^a	2001	94.838	ICs			
Phase I	A	2003	2.542	Monitored natural attenuation			Prohibit the removal of concrete floor material in specified rooms of T Building.
	B		42.882				
	C		6.568	ICs			
6	6, 6A 7, and 8	2009	13.636	Monitored natural attenuation	DOE leased to MDC	Appendix #1 to General Purpose Lease Agreement (December 2012)	Prohibit the penetration of concrete floor material in specified rooms of T Building.
7			42.307				
8			45.247				
			2.352 or 3.320	ICs	BOI Solutions	Deed restrictions in MDC limited warranty deed dated December 14, 2012 (File # 2012-00084260)	Provide site access for federal and state agencies for taking response actions, including sampling and monitoring.
	5.350						
	Tract 1 Tract 2 (part of 6A and 7)		0.271				
9 (OU-1)	Includes OU-1, PRS 441, former rail spur and spoils areas	OU-1 ROD 1995 and OU-1 ROD amendment 2011	23.148	Hydraulic containment using groundwater extraction Surface water controls Long-term groundwater monitoring ICs	DOE	Environmental Covenant approved December 22, 2011 (Recorded for entire site as a Special Instrument Deed 2012-00004722 on January 24, 2012)	
OU-4	Miami-Erie Canal	2004	On City property	No action	City of Miamisburg	None required	No ICs required

Notes:

^a Portions of the New or South Property are included in Phase I and Parcel 9 areas.

As property transfers, the site will be divided into different real estate lot configurations, and these new lots will likely overlap ROD parcels boundaries. Nonetheless, the ROD parcel boundaries will still be relevant because they identify which ROD covers which area of the site, regardless of new property lines.

Appendix E details the property information on the Montgomery County, Ohio, website as of April 30, 2015.

5.0 Overview of Institutional Controls

ICs are an important component of the remedies selected for the Mound site. EPA defines ICs as non-engineered instruments, such as administrative and legal controls, that help minimize the potential for human exposure to contamination, protect the integrity of the remedy, or both.

DOE remediated the Mound site property to EPA's risk-based standards for industrial/commercial use only. Because the site is not approved for unlimited use, ICs were imposed as part of the CERCLA remedy defined in each ROD listed in Section 4.0. The Mound ICs were developed with input from the public, the City of Miamisburg, the regulators, and MDC.

The Mound site ICs run with the land in the form of (1) restrictions and covenants in the quitclaim or limited warranty deeds or (2) activity and use limitations in the environmental covenant and the lease agreement. The quitclaim deeds and environmental covenant documents are recorded with Montgomery County, Ohio, so that all future property owners will know about the deed restrictions.

Additional information on ICs can be found in *Institutional Controls: A Citizen's Guide to Understanding Institutional Controls at Superfund, Brownfields, Federal Facilities, Underground Storage Tank, and Resource Conservation and Recovery Act Cleanups* (EPA 2005).

The Mound site ICs are designed to:

1. **Prohibit the removal of soil** from within the original DOE Mound site property boundaries without prior written approval from Ohio EPA and ODH. One area of Parcel H, shown in purple in Figure 2, is exempt from the soil-removal restriction. Modifications to the entry and the rerouting of Mound Road (Rd.) isolated this area from the original Mound property.
2. **Prohibit the extraction or consumption of, exposure to, or the use in any way of the groundwater** underlying the site without prior written approval from EPA and Ohio EPA.
3. **Limit land use to industrial/commercial use only.** Each parcel ROD identifies land uses that will not be permitted, but the list is not all-inclusive. Parcels may not be used for any residential or farming activities, or for any activities that could result in the chronic exposure of children less than 18 years of age to soil or groundwater from the premises. Restricted uses include:
 - Single- or multi-family dwellings or rental units.
 - Daycare facilities.
 - Schools or other educational facilities for children less than 18 years of age.
 - Community centers, playgrounds, or other recreational or religious facilities for children less than 18 years of age.

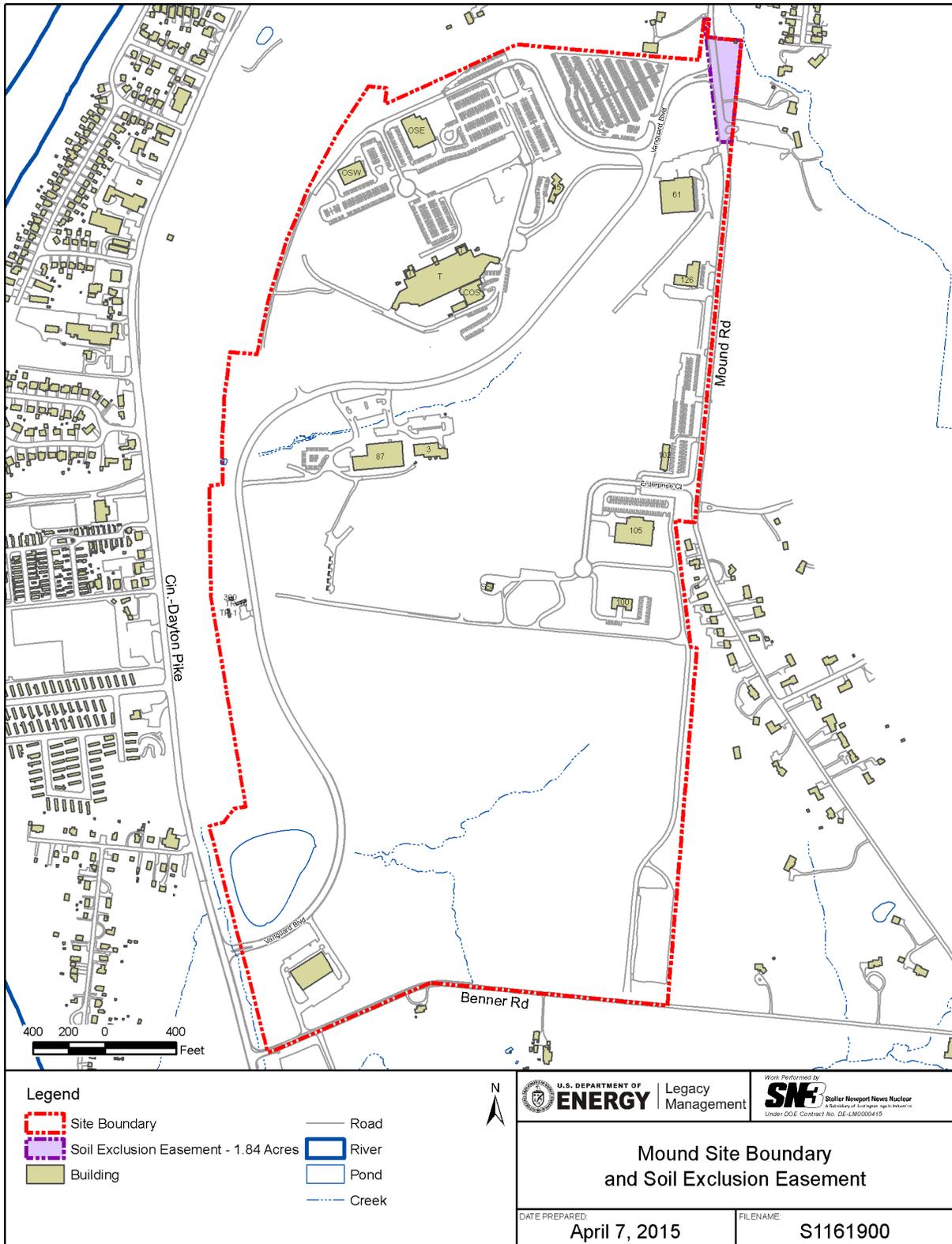


Figure 2. Parcel H Soil-Removal Exclusion Area Within the Original Mound Site Boundary

4. **Prohibit the removal of concrete floor material** from specified rooms of T Building (Appendix C) to offsite locations without prior written approval from EPA, Ohio EPA, and ODH.
5. **Prohibit the penetration of concrete floors** in specified rooms of the T Building (Appendix C) without prior written approval from EPA, Ohio EPA, and ODH.
6. **Allow site access for federal and state agencies** for sampling and monitoring.

The RODs contain parcel-specific deed-restriction language. RODs and other CERCLA administrative record documents are available in the CERCLA Public Reading Room and electronically on the LM Mound website (<http://www.lm.doe.gov/land/sites/oh/mound/mound.htm>).

6.0 Aerial View of the Mound Site Property

Figure 3 is an aerial photo, taken in March 2011, showing the entire site looking north.

Appendix F contains a March 2011 aerial photo with the ROD boundaries. Aerial photos are normally taken before each CERCLA Five-Year Review. The next Five-Year Review is planned for 2016.

7.0 Summary of 2014 Annual Assessment and 2011 CERCLA Five-Year Review

7.1 2014 Annual Assessment

7.1.1 Summary

As stated in the *Annual Assessment of the Effectiveness of Institutional Controls at the Mound Site, Miamisburg, Ohio* (DOE 2014), the annual assessment concluded that the Mound site ICs functioned as designed, adequate oversight mechanisms appeared to be in place to identify possible violations, and adequate resources were available to correct or mitigate any problems if a violation were to occur.

7.1.2 Recommendations or Findings

There were four recommendations from the 2014 annual assessment:

1. Continue to address erosion issues affecting wells or access to wells.
2. Address water in T Building Rooms 57 and 58.
3. Replace missing sign from pond area near bike path.
4. Develop a crosswalk list of Mound LM well numbers versus Ohio Department of Natural Resources (ODNR) numbers.



Figure 3. Mound Site Looking North (March 2011)

7.2 2011 CERCLA Five-Year Review

7.2.1 Five-Year Review Summary

In 2011, DOE conducted the CERCLA Five-Year Review, which evaluated the implementation and performance of the selected site remedies. The *Third Five-Year Review for the Mound, Ohio, Site, Miamisburg, Ohio* (DOE 2011c) stated:

The ICs implemented at the Mound Site are protective of human health and the environment because they are functioning as intended. The groundwater remedies for Phase I and Parcels 6, 7, and 8 are expected to be protective of human health and the environment upon attainment of cleanup goals. In the interim, exposure pathways are being controlled through ICs. The remedy for OU-1 is protective of human health and the environment as exposure pathways are being controlled through plume containment and Federal ownership of the land. Controlled access to the landfill is no longer necessary since excavation was completed; however, for the remedy to be protective in the long-term, ICs to restrict soil removal and groundwater use need to be implemented.

7.2.2 Five-Year Review Recommendations

The Third Five-Year Review for the Mound site (DOE 2011c) identified the following three recommendations:

1. Verify that the quitclaim deed for Parcels 6, 7, and 8 is appropriately recorded and is free and clear of all liens and encumbrances.
2. Finalize the sitewide IC Management/Land Use Control Plan (with CERCLA Summary).
3. Finalize the sitewide O&M Plan for groundwater remedies.

7.2.3 EPA-Identified Issues to Be Addressed in the 2016 Five-Year Review

In the September 27, 2011, approval letter, EPA concurred with the protectiveness statements and approved the report. However, EPA also identified the following issues that must be addressed in future Five-Year Reviews at the Mound site:

- While the Summary Form on p. *xii* makes title work for Parcels 6, 7, and 8 a follow-up action, it leaves out title work for Parcels D, H, 3, and 4 and Phase 1. Title work must be completed for all parcels as part of the Five-Year Review of the ICs process.
- EPA, Ohio EPA, and DOE are currently finalizing a *Sitewide IC Management and Land Use Control Plan* for the DOE Mound property. This plan should be included as an appendix in future Five-Year Reviews to aid in the review process.

8.0 Physical Inspections Performed

8.1 Preliminary Inspections

Stoller Newport News Nuclear, Inc. (SN3), a wholly owned subsidiary of Huntington Ingalls Industries, Inc., personnel conducted thorough physical inspections in 2015 before hosting the

physical walkdown with the regulators, MDC, and the City of Miamisburg. Those preliminary inspections looked for violations of ICs (such as soil removal, well installation, and nonindustrial/noncommercial use) and reviewed the physical conditions of wells and seeps.

8.2 Physical Walkdown with Regulators

The walkdown with the regulators and stakeholders occurred on April 16, 2015, with a driving tour of the site. Gwen Hooten, LM Mound Site Manager, began the walkdown at the Mound Science and Energy Museum with a presentation that defined the scope of the annual assessment and presented the results of the preliminary inspections. A copy of the presentation is included in Appendix A. Participants were given a safety briefing, a copy of the presentation, and the draft IC checklist for the walkdown.

Participants in the annual walkdown included:

- Gwen Hooten, DOE LM, Mound Site Manager
- Frank Bullock, MDC, Director of Operations
- Anthony Campbell, Ohio EPA, Site Coordinator,
- Brian Nickel, Ohio EPA, Remedial Project Manager
- Allison Reed, Ohio EPA, Geologist 4
- Laurie Billing, ODH, Epidemiology Investigator
- Jill Boley, ODH, Sr. Health Physicist
- Eric Denison, ODH, Sr. Health Physicist
- Shannon Dettmer, ODH, Sr. Health Physicist
- Bob Frey, ODH, Program Administrator
- Pamela Hintz, ODH, Sr. Health Physicist
- David Seely, EPA, Remedial Project Manager
- Ellen Stanifer, City of Miamisburg, Environmental Coordinator,
- Becky Cato, SN3, Project Hydrogeologist/Environmental Services Lead
- Chuck Friedman, SN3, Environmental Compliance
- Melissa Lutz, SN3, Mound Team Leader
- Gary Weidenbach, SN3, Ops Manager
- Joyce Massie, JGMS Inc., Project Support (subcontractor)
- Jack Melke, Mound Science and Energy Museum, Volunteer, (visited the T Building only)

The April 16 walkdown included stops at the T Building to observe the special IC areas covered in red concrete, the Burn Area, and OU-1 as shown in Figures 4 through 9.



Figure 4. Frank Bullock, MDC, explains the T Building layout to walkdown participants.



Figure 5. Walkdown participants examine the cracks in the red concrete that had been filled with sealant.



Figure 6. IC Walkdown included a stop at the Resource Conservation and Recovery Act (RCRA) Burn Area. (Left-to-right is Anthony Campbell and Brian Nickel, Ohio EPA; David Seely, EPA; and Chuck Friedman, SN3.)



Figure 7. Frank Bullock, MDC, and Gwen Hooten, LM Site Manager, in the RCRA Burn Area near the Salt Shed.



Figure 8. Becky Cato on the right describes the current activities in the OU-1 area to walkdown participants from Ohio EPA and Ohio Department of Health.



Figure 9. Brian Nickel, Ohio EPA; Becky Cato, SN3; David Seely, EPA; and Allison Reed, Ohio EPA, discuss the LM OU-1 activities.

8.3 Results of Physical Inspections

8.3.1 Summary

There were no observations of noncompliance with the ICs in any parcel on the Mound Site, including Parcels 3, 4, D, and H; Phase I (A, B, and C); Parcels 6, 7, and 8; and Parcel 9. In particular, there was no evidence of unauthorized well installation, soil removal, or site activities inconsistent with industrial/commercial use within any parcel.

The following sections describe the results of the preliminary inspections and the physical walkdown on April 16, 2015. Appendix A contains the completed IC checklist and associated documents. Participants in the walkdown did not submit any changes or comments to the draft checklist.

8.3.2 Erosion and Drainage Issues

Erosion or storm-water drainage issues are included in this IC assessment if they interfere with access to monitoring wells or cause muddy water to puddle around well heads.

8.3.2.1 *New Casing and Concrete Apron at Well 0346*

The 2014 annual IC assessment report noted that erosion continued around well 0346 north of Excelitas. This well is part of the remedy for Parcels 6, 7, and 8. In 2015, inspectors observed that an above-ground well casing and concrete apron had been installed for that well. See the before photo in Figure 10 and the after photo in Figure 11.



Figure 10. In 2014, well 0346 was affected by erosion in the area.



Figure 11. In 2015, well 0346 in 2015 had above-ground casing and a concrete apron.

8.3.2.2 *Debris in Stormwater Drain*

In 2014, there was debris clogging the stormwater drain uphill and east of OU-1 (Figure 12), which caused erosion of the roadway that is used to access the groundwater monitoring wells in

that area. MDC's contractor removed that debris, but in March 2015 it was beginning to accumulate again (Figure 13). Continued maintenance of that drain will be necessary.



Figure 12. Stormwater drain east of OU-1 clogged with debris in 2014.



Figure 13. Stormwater drain east of OU-1 in 2015.

8.3.2.3 Improved Drainage Around Well 0353

There was poor drainage in 2014 around well 0353, which is east and uphill from OU-1 (Figure 14). In 2015, inspectors noted that the drainage had been improved with drain tiles and gravel (Figure 15). Well 0353 is part of the Phase I remedy.



Figure 14. Well 0343 in 2014 was affected by poor drainage in the area.



Figure 15. Well 0343 in 2015 with drain tiles and gravel added to the surrounding area.

8.3.3 Improved Condition of Roadway

Inspectors noted that the eroded roadway used to access several monitoring wells east of OU-1 had been repaired, as shown in the following figures.



Figure 16. Roadway erosion in 2014.



Figure 17. Gravel added in 2015.

8.3.4 OU-1 Pump-and-Treatment System

With the approval of the Mound Core Team, the OU-1 pump-and-treatment (P&T) system was shut down on September 15, 2014, and put in standby mode to support the OU-1 Enhanced Attenuation Field Demonstration. Gary Weidenbach, SN3, advised that this system is inspected monthly, and that SN3 added a monthly system standby mode inspection checklist to the pump-and-treatment maintenance procedure manual.

8.3.5 T Building Special IC Areas

The physical inspections included only the areas within the T Building to which special ICs apply (i.e., survey units IC-06, IC-07, IC-08, IC-09, IC-10, IC-11, IC-12, IC-15, IC-16, IC-21, IS-10 and SYS-02A/B/C, as shown on Figure C-1 in Appendix C). The special ICs prohibit (1) the penetration of concrete in some areas covered with red concrete and (2) the removal of concrete in other areas, unless there has been prior approval. The red concrete covers IC-10 and IC-21.

Appendix C provides information regarding the T Building special IC areas. The appendix includes a drawing (Figure C-1), which clearly shows the special IC areas. Appendix C also includes a 4-page agreement and position paper, *T Building Special ICs Core Team Agreement and Position Paper, 6-29-09*, which provided policy guidelines. Finally, Appendix C includes the 2010 baseline photos of each room covered by the special ICs.

8.3.5.1 Corrected Source of Water in Special IC Area Rooms

MDC's maintenance contractor identified a malfunctioning sump pump as the source of the water observed in 2014 on the floor of Rooms 57 and 58 and the other special IC areas. MDC

repaired the pump shown in Figure 18 and dried the wet areas. No wet areas were observed during the 2015 inspection, as shown in Figures 19–22.



Figure 18. Gary Weidenbach, SN3, near the repaired sump pump in the T Building.



Figure 19. Water was observed in Room T-57 in 2014.



Figure 20. Floor was dry in Room T-57 in 2015.



Figure 21. Water was observed in Room T-58 in 2014.



Figure 22. Floor was dry in Room T-58 in 2015.

8.3.5.2 Sealed Cracks in the Red Concrete

Cracks in the red concrete covering floors in the special IC areas of T Building have been noted since the 2011 annual IC assessment.

As discussed in the 2014 annual IC assessment report, LM conducted extensive document and records reviews and interviews with individual personnel with historical knowledge of the cleanup. LM concluded that the cracks are not a health and safety issue as long as the concrete remains structurally sound.

LM determined that the best management practice would be to seal the cracks. According to SN3 personnel, the subcontractor filled the cracks in February 2015 (Figure 23 through Figure 26). The cracks were filled with ATC 100, which is a single-component, elastomeric sealant without free isocyanates or solvents (VOCs). Appendix A includes the product specification sheet.

Updated photographs of the sealed cracks in the previously tracked areas A through I are shown in Appendix D.



Figure 23. Roy Mowen and Gary Weidenbach, SN3, photograph sealed cracks during pre-inspection.



Figure 24. Sealed crack in red concrete showing edge and thickness of concrete cap.



Figure 25. Sealed cracks in red concrete in IC-10 open bay area.



Figure 26. Sealed cracks in red concrete in IC-21 area, Room T-59.

8.3.6 Signs in Place

Three signs, which state “Recreational Use Prohibited,” were observed at the pond used for retaining and detaining storm-water runoff in the southwestern part of Parcel 4.

The signs are not an IC; however, the Mound Core Team agreed on the following wording regarding the signage beginning with the 2011 annual IC assessment:

The second five-year review for the DOE Mound site recommended that the issue of adequate signage around the Parcel 4 retention basin be addressed by DOE, EPA, and Ohio EPA. Signs placed around the basin to inform area visitors that recreational use around the basin is prohibited have been damaged and removed on several occasions by members of the public.

After reconsidering the exposure assumptions that were used to develop the industrial commercial cleanup standards for the Mound site, DOE, EPA, and Ohio EPA have reached the conclusion that occasional visits to the retention pond by area residents will not result in an unacceptable risk to the visitors. Even so, DOE and the Mound Development Corporation will continue to monitor and discourage these unauthorized uses of the Parcel 4 retention basin area. No further action is required to assure protectiveness of human health or the environment.

IC inspectors also observed the new sign at the outfall (Figure 27 and Figure 28) required by Ohio EPA. This sign is not associated with the site ICs, but is included for information only in this IC assessment report.



Figure 27. Mound site Outfall 003 with new sign required by Ohio EPA.



Figure 28. Close up of new sign at Outfall 003.

8.3.7 Developed Crosswalk of Mound Site Monitoring Wells with ODNR Numbers

As a result of recommendations from the 2014 IC assessment, LM developed a crosswalk showing DOE well numbers and the corresponding ODNR identification numbers. This table will be updated as a reference for future IC assessments to search the ODNR website for new illegal wells drilled onsite.

The IC assessment confirmed that the wells installed during the review period have been added to the ODNR website.

8.3.8 Other Observations near Monitoring Wells 0301 and 0311

Inspectors were told by SN3 that the City of Miamisburg had placed flags near offsite wells 0301 and 0311 that marked the proposed sewer line associated with a sewer modernization project being planned (Figure 29 and Figure 30). Gwen Hooten discussed the issue with the City Development Director during March 25, 2015, IC discussions. The City was agreed to provide SN3 with a city Engineering Department contact to discuss the underground line's proximity to the monitoring wells and potential solutions to any problems that might arise.



Figure 29. Green flags near offsite groundwater monitoring wells 0301 and 0311. These are flush-mount wells that appear as gray circles in this photo. Photo is looking west toward Great Miami River levy.



Figure 30. One of the two monitoring wells in the park behind the City of Miamisburg sewer pumping station.

9.0 Interviews and Record Reviews

9.1 Interviews with Property Owners

9.1.1 Mound Site Landowners - Institutional Control Compliance Form

Public information is an important component of DOE's post-closure responsibilities. Informing property owners about their responsibility to comply with the ICs is an essential element of DOE's public-information campaign. It is also necessary to inform the general public of the importance of adhering to the sitewide ICs.

When the annual IC assessment report is completed and made available in the CERCLA Reading Room and on the LM website, DOE issues a public notice that describes the ICs. Postings (such as warning signs near the MDC pond, which state that recreational use is prohibited) are crucial to informing the public and serve to enlist public cooperation in observing the ICs.

As discussed in the following sections, LM Site Manager Gwen Hooten met with each property owner to review the ICs and the property owners' responsibilities for this IC assessment. During those meetings, Ms. Hooten provided the *Mound Site Landowners - Institutional Control Compliance Form*. The property owners completed a short questionnaire within the form, signed the form, and returned it to LM. The signed forms are included in Appendix A.

9.1.2 City of Miamisburg

On March 25, 2015, Gwen Hooten and contractor personnel met with City of Miamisburg staff, including Chris Fine, Development Director, and Ellen Stanifer, City of Miamisburg Public Works Department, to review the ICs. The discussion included the importance of the ICs and ways to maintain the institutional awareness of them within the City. Mr. Fine advised that the Mound site's redevelopment was important to the City because of its size and the economic impact.

9.1.3 MDC

Gwen Hooten met with Eric Cluxton, President, and Frank Bullock, Director of Operations, on March 25 to discuss the ICs, and Frank Bullock attended the IC walkdown on April 16. LM, SN3 personnel, and MDC share site-related activities and information at the Federal Facility Agreement meetings and any other time it is necessary.

9.1.4 BOI Solutions

On March 25, 2015, Gwen Hooten and contractor personnel met with Bill Othick of BOI Solutions (BOI), the company that owns Tracts 1 and 2.

Discussions centered on the ICs, explaining their purpose and the legal requirements, emphasizing their importance, and reviewing the *Mound Site Landowners - Institutional Control Compliance Form*.

9.1.5 Dyrdek Group

Gwen Hooten and contractor personnel met with Mike Hill, Alien Workshop, who represented Dyrdek Group, the new owner of 790 Enterprise Court (Ct.), which was formerly Building 100. This was a get-acquainted meeting to discuss the site, the ICs and their purpose, the property owner's responsibilities, and the *Mound Site Landowners - Institutional Control Compliance Form*. Eric Cluxton and Frank Bullock were also present during those discussions.

9.2 Records Reviews

9.2.1 City of Miamisburg

In addition to conducting the physical inspections for the annual assessment, DOE requested information from the City of Miamisburg to ensure that ICs are being followed. Information topics included construction, street-opening, occupancy, or other permits; zoning modification requests; and City Planning Commission requests.

Table 3 shows the DOE building identification and the Miamisburg street addresses for each building. Five buildings (3, 87, 102, 105, and the Flex Building), five magazines (80 through 84), and a salt storage shed remain in land parcels currently owned by either MDC or the City of Miamisburg. Figure 31 shows the location of all remaining site buildings.

Table 3. Building Identifications, Street Addresses, and Ownership

DOE Building ID	Former Address	Current Miamisburg Street Address	DOE ROD Parcel ID	Property Owner
45	None	930 Capstone Drive	6	EMCBC
61	None	885 Mound Road	7	EMCBC
3 and 87	None	1100 Vanguard Blvd.	IB	MDC
100	None	790 Enterprise Court	D	Dyrdek
102	None	1075 Mound Road	IA	City
105	None	1195 Mound Road	D	City
126	None	955 Mound Road	(6A & 7) Tracts 1 and 2	BOI
Central Operational Support (COS)	None	965 Capstone Drive	8	EMCBC
Operational Support East (OSE)	480 Capstone Circle	480 Vantage Point	6	EMCBC
Operational Support West (OSW)	460 Capstone Circle	460 Vantage Point	8	EMCBC
T Building	None	945 Capstone Drive	8	EMCBC
Magazines 80–84	None	None	IB	MDC
Salt storage shed	None	None	IB	City
Trailers 1 and 16, and Building 300	None	1275 Vanguard Blvd.	9	EMCBC; LM
MDC Flex Building	(main building)	1390 Vanguard Blvd.	4	MDC/City
	1390 Vanguard Blvd.	1388 Vanguard Blvd. (lighting)	4	MDC/City
	1390 Vanguard Blvd.	1384 Vanguard Blvd.	4	MDC/City
	1390 Vanguard Blvd.	1380 Vanguard Blvd.	4	MDC/City
	1390 Vanguard Blvd.	1374 Vanguard Blvd.	4	MDC/City
	1390 Vanguard Blvd.	1370 Vanguard Blvd.	4	MDC/City
2	MDC demolished in 2011	None	7	n/a
28	MDC demolished in 2013	925 Capstone Drive	6	n/a
63 and 63W	MDC demolished in 2011	1070 Vanguard Blvd.	7	n/a
Guard Post-1	MDC demolished in 2006	None	3	n/a
Guard House (GH)	MDC demolished in 2013	500 Vantage Point	3	n/a

Notes:

Bld. = Boulevard

EMCBC = Environmental Management Consolidated Business Center

n/a = not applicable

The City of Miamisburg database allows permits to be searched by keywords (e.g., permit number, date, location, nature of work). Permits issued before the database was implemented (i.e., permits documented in DOE’s annual reports dating back to 2001) might not be in the City’s database. However, the City retains hard copies of all permits in accordance with a records-retention plan that meets all State of Ohio requirements.

LM and contractor personnel requested that the City of Miamisburg Engineering Department query their computer tracking system for permits issued to any addresses on Capstone Drive, Vanguard Boulevard (Blvd.), Enterprise Court, Vantage Point (Pt.), Mound Road (between building address numbers 885 and 1195), and Benner Road (between 799 Benner Road and Dayton-Cincinnati Road, on the odd-numbered side of street).

Table 4 lists all permits on file that were issued for the site from April 1, 2014, to March 31, 2015. The City of Miamisburg Building Inspection department provided the permit summary on April 13, 2015.

Table 4. City of Miamisburg Permit Files for Mound Site (April 1, 2014, to March 31, 2015)

Permit #	Permit Date	Site Address	Owner	Est. Cost Dollars	Contractor	Work Desc. 1
20140055B	4/2/2014	1390 VANGUARD BLVD	MMCIC	90,000	TBD	ALTERATION
20140087B	6/25/2014	1370 VANGUARD BLVD	MMCIC	300,000	TBD	ALTERATION
20140119B	8/26/2014	1370 VANGUARD BLVD	MMCIC	3,000	OHIO VALLEY FIRE PROT	SPRINKLER/FIRE
20140128B	9/8/2014	1390 VANGUARD BLVD	MMCIC	20,000	K & T CONSTRUCTION	DECK
20140163B	11/26/2014	965 CAPSTONE DR	MOUND LASER (MMCIC)	30,000	TURNER PSG CONSTRUCTION	ALTERATION
20150021B	2/18/2015	790 ENTERPRISE CT	MMCIC	2,000	A-1 SPRINKLER CO	SPRINKLER/FIRE

Abbreviations:
 Est. = estimated
 Desc. = description
 TBD = to be determined

Table 5 lists work requests that did not require a City permit but did require review by the City Planning Commission. These requests may include excavation and paving activities.

Table 5. City of Miamisburg Files—Planning Commission and Other Reviews

Location of Work	ID Number	Date of Application	Submitted By	Nature of Work	Parcel/ Building	Status
The City report no City Planning Commission reviews performed during April 2014 through March 2015.						

Since City permits are filed according to address, MDC or subsequent property owners must inform DOE of changes to the street names or building addresses.

Permits filed with the City of Miamisburg do not have an expiration date. To ensure that the appropriate City officials approved any permit work performed since the last annual assessment,

DOE and the property owner should remain knowledgeable of permits in case work covered by that permit were to be postponed.

Most of the work performed by MDC or other parties (e.g., contractors to MDC) on the former DOE Mound site property that Gwen Hooten (LM) and Frank Bullock (MDC) were aware of during the 12-month reporting period appeared to be adequately covered by permits submitted to, and approved by, the City of Miamisburg.

In general, the permit-review process demonstrated that the City of Miamisburg's recordkeeping system is adequate to allow LM to identify site activities that could affect IC compliance.

9.2.2 MDC

MDC and all future property owners must ensure that contractors performing work (e.g., landscaping, utility work that involves excavation or construction) comply with the ICs. MDC, who manages maintenance for all areas owned by MDC, the City of Miamisburg, and the Environmental Management Consolidated Business Center (EMCBC), provides a preconstruction package that includes a description of the ICs, and MDC includes the following language in the "Technical Requirements" section of its requests for proposal and subsequent work orders: "Excavated soils must be managed and remain on MDC property. Soils from excavation shall be placed at an onsite location, as directed by MDC."

MDC monitors the vendor's work and conformance with technical requirements. MDC also provides the vendor with a real estate easement that includes detailed information on the ICs. Appendix B shows an example of a real estate easement used for utility work that is registered with Montgomery County.

MDC's *Comprehensive Reuse Plan Update* (MMCIC 2003) is available in the CERCLA Reading Room and online at <http://www.lm.doe.gov/mound/Sites.aspx>. To coordinate the movement of soil on the site, the Comprehensive Reuse Plan (CRP) included a sitewide soil-grading plan. The CRP was incorporated into the City of Miamisburg's comprehensive plan, which is the basis for the property zoning within the city limits.

MDC plans to plat the entire DOE Mound site property. In order to receive financing (i.e., for new construction) on land parcels that make up the original DOE Mound site property, MDC will record a lot-split with the Montgomery County Recorder's Office. If MDC does not require financing for property improvements, it is not required to immediately record a Miamisburg Planning Commission-approved lot-split with the County. However, MDC must record the changes with Montgomery County when it sells the property. The recorded real estate documentation would include the ICs in the original quitclaim deed and the CERCLA 102(h) ES associated with the original parcel to ensure that future property owners know the ICs.

9.2.3 Montgomery County Property Records

LM reviewed the current Montgomery County property records and updated the Appendix E table that contains lot numbers, ownership, addresses, and other data to track ownership. This table will be updated annually.

The latest lot information resulting from the MDC resurveys registered with Montgomery County on February 20, 2015, is not reflected on the Montgomery County website. The lot drawings showing the new lot numbers are included in Appendix E.

9.2.4 Property Ownership Status and Agreements

9.2.4.1 MDC Sold Property

The City of Miamisburg transferred ownership of 5.5191 acres and the former Building 100 at 790 Enterprise Court to MDC who sold it to Dyrdek Group in December 2014.

The site deeds and environmental covenant require written notification of any property changes to Ohio EPA within 10 days. Frank Bullock, MDC, sent an email on December 24, 2014, to Gwen Hooten, LM, and Brian Nickel, Ohio EPA, notifying them of the property transfer from the City of Miamisburg to MDC and subsequent sale to Dyrdek Group. This notification included a copy of the quitclaim deed from City of Miamisburg to Mound Lot 8000 and the Limited Warranty Deed from MDC to Dyrdek Group. Both deeds referred to the land use restrictions. Appendix E contains copies of the email and both deeds.

9.2.4.2 MDC and City of Miamisburg Resurveyed and Replatted Lots

MDC and the City of Miamisburg resurveyed and replatted several lots in December 2014 to correct inaccuracies. Frank Bullock, MDC, notified LM of these changes in an email on March 23, 2015, that included PDF copies of the replats registered with Montgomery County on February 20, 2015. Appendix E, "Property Information," contains copies of this email and the drawings showing the changes.

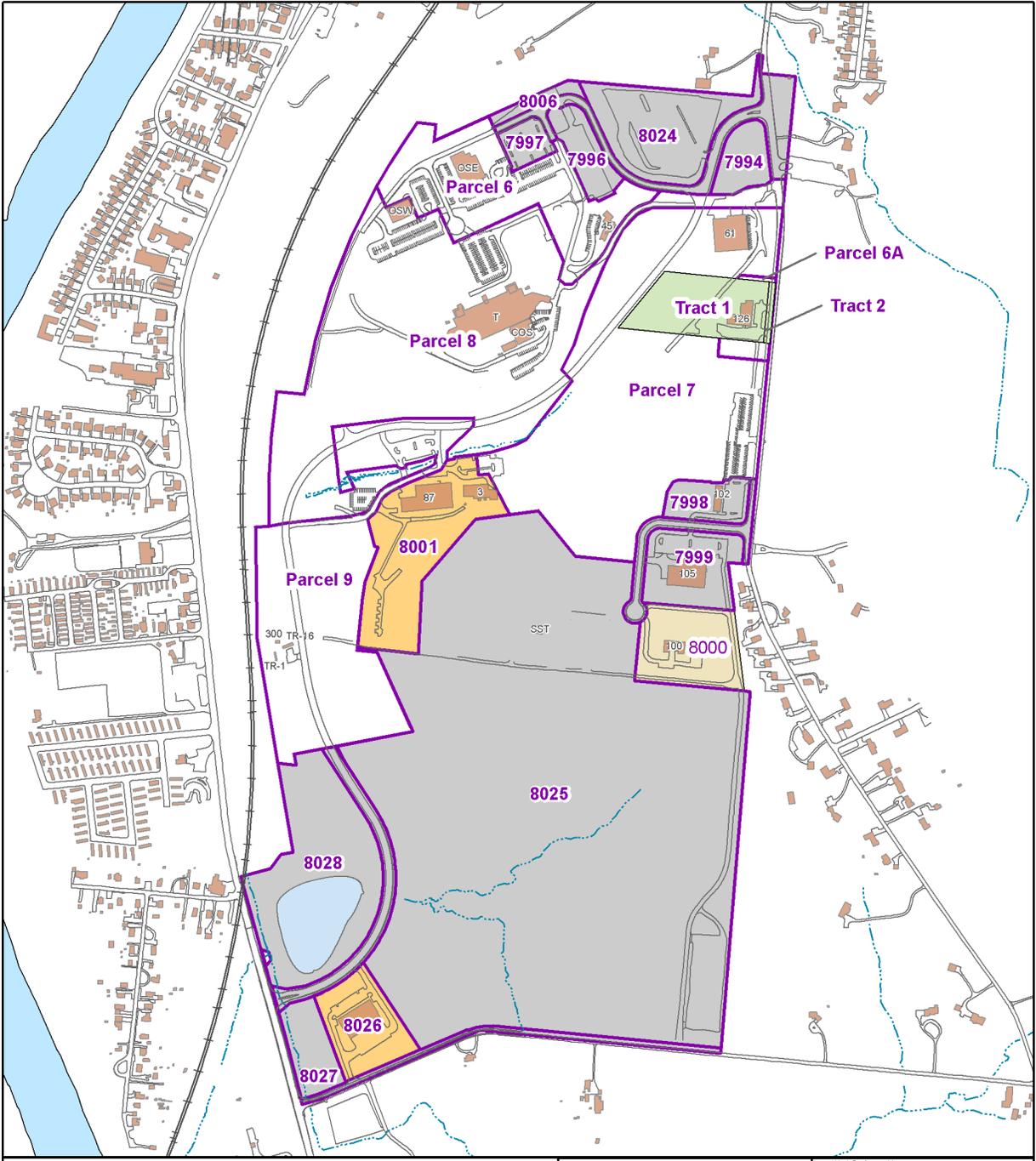
The table in Appendix E contains the current property information on the Montgomery County website. Since that website did not yet reflect these replats as of April 30, the table contains a draft summary of the parcel number and acreage changes. Figure 31 shows the parcels, buildings, and property ownership.

9.2.4.3 Sales Agreement Between EMCBC and MDC for Parcels 6–9 Is Deferred

In January 1998, the DOE Office of Environmental Management executed the original sales agreement with MDC. The agreement called for the transfer of discrete land parcels to MDC, via quitclaim deeds, after all requirements of CERCLA 120(h) for property transfer were met.

The sales agreement was replaced in 2008 with the *Sales Contract by and between the United States Department of Energy and the Miamisburg Mound Community Improvement Corporation, August 28, 2008* (DOE 2008).

The sales agreement was amended on November 30, 2012, with the *Amendment to Sales Contract dated August 28, 2008, between the U.S. Department of Energy and Mound Development Corporation (Previously The Miamisburg Mound Community Corporation)* (DOE 2012b). Under this agreement, EMCBC allows MDC to defer acceptance of all the parcels for up to 5 years.



<ul style="list-style-type: none"> Building River Pond Creek Road - Paved Railroad Parcel - DOE Parcel - Miamisburg Parcel - MDC Parcel - BOI Solutions Inc. Parcel - Dyrdek Group Inc. 	<p>N</p> <p>SCALE IN FEET</p> <p>400 200 0 400</p>	<p>U.S. DEPARTMENT OF ENERGY Legacy Management</p> <p>Work Performed by SNE Stoller Newport News Nuclear A subsidiary of Battelle Energy Institute Under DOE Contract No. DE-AC05-00OR21400</p> <p style="text-align: center;">Mound Site Parcels, Buildings and Ownership February 2015</p> <p>DATE PREPARED: May 13, 2015 FILENAME: S1295300</p>
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Figure 31. Mound Site Parcels, Buildings, and Ownership

9.2.4.4 General Purpose Lease Between EMCBC and MDC for Parcels 6–9

During the deferral of property transfer, EMCBC will lease Parcels 6–9 on the Mound site in its entirety to MDC. On December 14, 2012, EMCBC signed a 5-year lease amendment, *U.S. Department of Energy Amendment Number 24 to the General Purpose Lease* (DOE 2012c), with MDC. The lease stated that EMCBC retains ownership of Parcels 6–9, and MDC is responsible for maintenance and management of all buildings and facilities within Parcels 6–9.

EMCBC and MDC signed an Appendix #1 to the General Purpose Lease (DOE 2013a) that formalized the requirement to adhere to the ICs during the lease period.

9.2.4.5 MDC and City of Miamisburg Property Ownership and Agreements

MDC owns approximately 13 acres, and the City of Miamisburg owns approximately 161 acres. The City of Miamisburg passed Ordinance 6393 on April 16, 2013, including a Transfer Agreement that stated, “The City and MDC will each have the right to access the property as necessary for their own interests but the City agrees to adopt rules as needed to prohibit the use of the property by the public generally.”

10.0 Conclusions

The ICs for the Mound site continue to function as designed. Adequate oversight mechanisms appear to be in place to identify possible violations of ICs, and adequate resources are available to correct or mitigate any problems if violations occur.

11.0 Recommendations

Table 6 lists outstanding recommendations from previous inspections and the status of those recommendations. Table 7 lists new recommendations from this year’s inspection.

Table 6. Outstanding Recommendations from Previous Annual Assessments or CERCLA Five-Year Review Inspections of ICs

Origin	Issue/ Recommendation	Corrected?	Current Status
2011 CERCLA Five-Year Review	Verify that the quitclaim deed for Parcels 6, 7, and 8 is appropriately recorded and is free and clear of all liens and encumbrances.	Yes	Complete. Details included in O&M Plan.
	Finalize the sitewide IC Management/Land Use Control Plan (with CERCLA Summary).	Yes	Incorporated into O&M Plan.
	Finalize the sitewide O&M Plan for groundwater remedies.	Yes	Incorporated into O&M Plan.

Table 6 (continued). Outstanding Recommendations from Previous Annual Assessments or CERCLA Five-Year Review Inspections of ICs

Origin	Issue/Recommendation	Corrected?	Current Status
2012 Annual IC Inspection (DOE 2012a)	Install a permanent marker for well 0451.	Yes	Complete.
	Work with the City to ensure that permit and zoning systems that capture future site work involving soil removal, regardless of property ownership, will be maintained.	Yes	New City Ordinance 6393 transfers ownership of some MDC parcels to City. LM continues to work with City.
	Complete the soil removal white paper, which will become part of the O&M Plan.	Yes	Incorporated parts of this white paper into O&M and LTS&M Plans.
2013 Annual IC Inspection (DOE 2013b)	Review the records regarding the purpose of the red concrete. Discuss with Core Team.	Yes	Completed review. Issued white paper.
	Repeat the photographs of the cracks in the red concrete in 2014.	Yes	Complete.
2014 Annual IC Inspection (DOE 2014)	Continue to address erosion issues affecting wells or access to wells.	Yes	Complete.
	Address water in T Building Rooms 57 and 58.	Yes	Complete.
	Replace missing sign from pond area near bike path.	Yes	Complete
	Develop a crosswalk list of Mound LM well numbers versus ODNr numbers.	Yes	Complete.

Table 7. Recommendations from 2015 Annual Inspection for ICs

Number	Issue/Recommendation	Responsible
1	Continue to remove debris from grate leading to storm drains uphill of OU-1.	MDC
2	Core Team discuss and recommend how the road and "right of way" acreage within the 1998 site boundary should be handled with regard to property ownership and IC compliance.	LM

12.0 Contact Information

For further information on the content of this annual IC assessment report or the DOE Mound site property in general, contact:

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 Alternate email: mound@lm.doe.gov

For further information on the regulatory guidelines that govern the CERCLA 120(h) process for property transfer of DOE Mound site property, contact:

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EPA (U.S. Environmental Protection Agency), 2005. *Institutional Controls: A Citizen's Guide to Understanding Institutional Controls at Superfund, Brownfields, Federal Facilities, Underground Storage Tanks, and Resource Conservation and Recovery Act Cleanups*, OSWER 9255.0-98, EPA-540-R-04-004, February, available online at <http://www2.epa.gov/fedfac/citizens-guide-understanding-institutional-controls-superfund-brownfields-federal-facilities>, accessed May 7, 2012.

MMCIC (Miamisburg Mound Community Improvement Corporation), 2003. *Comprehensive Reuse Plan Update*, December 31.

Appendix A

Annual Assessment Checklist for the Mound Site

Inspections Conducted in March and April 2015

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CHECKLIST WORKSHEET – COMBINED – ALL PARCELS
Review of Effectiveness of Institutional Controls

Scope: IC Compliance for the Mound, Ohio, Site (Mound Site)

Preliminary inspections performed on: March 18, March 24

Physical inspection walkdown with regulators on: April 16, 2015

Review led by: Gwen Hooten, LM

Participants in physical inspection walkdown:

- Gwen Hooten, DOE LM, Mound Site Manager
- Frank Bullock, MDC, Director of Operations
- Anthony Campbell, Ohio EPA, Site Coordinator,
- Brian Nickel, Ohio EPA, Remedial Project Manager
- Allison Reed, Ohio EPA, Geologist 4
- Laurie Billing, ODH, Epidemiology Investigator
- Jill Boley, ODH, Sr. Health Physicist
- Eric Denison, ODH, Sr. Health Physicist
- Shannon Dettmer, ODH, Sr. Health Physicist
- Bob Frey, ODH, Program Administrator
- Pamela Hintz, ODH, Sr. Health Physicist
- David Seely, EPA, Remedial Project Manager
- Ellen Stanifer, City of Miamisburg, Environmental Coordinator,
- Becky Cato, SN3, Project Hydrogeologist/Environmental Services Lead
- Chuck Friedman, SN3, Environmental Compliance
- Melissa Lutz, SN3, Mound Team Leader
- Gary Weidenbach, SN3, Ops Manager
- Joyce Massie, JGMS Inc., Project Support (subcontractor)
- Jack Melke, Mound Science and Energy Museum, Volunteer, (visited the T Building only)

CHECKLIST WORKSHEET
Review of Effectiveness of Institutional Controls

Scope: IC Compliance for the Mound, Ohio, Site (Mound Site)

Status of issues or recommendations from previous annual IC assessment reports, follow-up inspections, Five-Year Reviews, etc.:

Origin	Issue/ Recommendation	Corrected?	Current Status
2011 CERCLA Five-Year Review	Verify that the quitclaim deed for Parcels 6, 7, and 8 is appropriately recorded and is free and clear of all liens and encumbrances.	Yes	Complete.
	Finalize the sitewide IC Management/ Land Use Control Plan (with CERCLA Summary).	Yes	Incorporated into O&M Plan.
	Finalize the sitewide O&M Plan for groundwater remedies.	Yes	Incorporated into O&M Plan.
2012 Annual IC Assessment	Install a permanent marker for well 0451.	Yes	Complete.
	Work with the City to ensure that permit and zoning systems that capture future site work involving soil removal, regardless of property ownership, will be maintained.	Yes	New City Ordinance 6393 transfers ownership of some MDC parcels to City. LM continues to work with City.
	Complete the soil removal white paper, which will become part of the O&M Plan.	Yes	Incorporated parts into O&M and LTS&M Plans.
2013 Annual IC Assessment	Review the records regarding the purpose of the red concrete. Discuss with Core Team.	Yes	Records reviewed. Details in white paper. LM sealed cracks in 2015 as best management practice.
	Repeat the photographs of the cracks in the red concrete in 2014.	Yes	Complete.
2014 Annual IC Assessment	Continue to address erosion issues affecting wells or access to wells.	Yes	Complete.
	Address water in T Building Rooms 57 and 58.	Yes	Complete.
	Replace missing sign from pond area near bike path.	Yes	Complete. Three signs.
	Develop a crosswalk list of Mound LM well numbers versus ODNR numbers.	Yes	Complete.

CHECKLIST WORKSHEET – COMBINED – ALL PARCELS
Review of Effectiveness of Institutional Controls

Scope: IC Compliance for the Mound, Ohio, Site (Mound Site)

Describe major physical property changes since the previous IC assessment. (Buildings demolished or erected, extensive landscaping, roads or parking lots constructed or modified, and so on?)

None.

List individuals involved with the physical inspections or document reviews and those interviewed as property owners.

Gwen Hooten, DOE LM Mound Site Manager, accompanied by Joyce Massie, JGMS, and Becky Cato, SN3, met with the property owners including Frank Bullock and Eric Cluxton, MDC; Chris Fine, City of Miamisburg; Bill Othick, BOI Solutions; and Mike Hill, for Dyrdek Group. Each was given the *Mound Site Landowners - Institutional Control Compliance Form* to complete, sign, and return. See Appendix A for signed forms.

Leslie Karacia, Development/Planning/Building Inspection, City of Miamisburg, furnished copies of the building permits.

Melissa Lutz, SN3, provided managerial and logistics support.

Joyce Massie, subcontractor to JGMS, conducted inspections, took photos, compiled and analyzed the inspection information, assembled the walkdown presentation, and wrote this IC assessment report.

Roy Mowen, Gary Weidenbach, and Becky Cato, SN3, assisted with the physical inspections.

Steve Pawel and Daniel Widrich, SN3, updated the report figures.

SN3 Graphic Design provided technical editing and formatting of the walkdown presentation.

SN3 Document Production and Technical Editing provided technical editing, formatting, and publication of this report.

List site use requests for site activities not covered by industrial use. Include copies of requests and regulators' responses in this annual IC assessment report.

None.

CHECKLIST WORKSHEET
Review of Effectiveness of Institutional Controls

Scope: IC Compliance for the Mound, Ohio, Site (Mound Site)

List the city, township, county, and state records reviewed for the period of the review (e.g., street opening permits or construction permits, engineering drawings for improvements to property, aerial photographs, maps, City Planning Commission requests, and Ohio Department of Natural Resources (ODNR) well logs.

City of Miamisburg draft plans for sewer upgrades (offsite near LM monitoring wells 0301 and 0311); City draft plans for a potable water booster station near Benner Road; City building permits; City zoning requests; ODNR well logs.

Based on the review of documents and interviews, were property improvements covered by the appropriate approvals? (For example, were construction permits approved by the City of Miamisburg?)

MDC oversees property improvements for all areas except those owned by BOI Solutions and Dyrdek Group. There were some building permits issued for interior work.

The review of ODNR records confirmed that the wells installed during the review period have been added to their website.

Based on the review of MDC Reuse Plan Update, Miamisburg Zoning Map, and Miamisburg Land Use Plan, were any changes made to those documents that affect IC compliance?

No.

List any other relevant official documents and describe any changes initiated during the review period that affect IC compliance or the IC assessment requirements.

The DOE LM updated the Mound Site O&M Plan.

This IC assessment follows the process described in this plan.

CHECKLIST WORKSHEET – COMBINED – ALL PARCELS
Review of Effectiveness of Institutional Controls

Scope: IC Compliance for the Mound, Ohio, Site (Mound Site)

List the property ownership changes. List the legal property documents reviewed to determine if ownership had changed (e.g., quitclaim deeds, environmental covenants, county property records).

Reviewed property documents that were furnished by MDC and that were observed on the Montgomery County Auditor's website, <http://www.mcrealestate.org/Main/Home.aspx>. The property information table in Appendix E was updated to include current information.

The City transferred ownership of Parcel ID K46 01507 0031 at 790 Enterprise Court (the former Building 100; part of ROD Parcel D) to MDC. MDC sold that property to Dyrdek Group in December 2014.

Reviewed quitclaim deed from City to MDC and a limited warranty deed from MDC to Dyrdek Group with attachments showing new lot configurations. Reviewed the current Montgomery County Auditor's website. This sale and property ownership had been changed on the website.

On March 23, 2015, MDC emailed PDF copies of drawings showing replatted lots that were registered with Montgomery County on February 20, 2015. See Appendix E for these drawings. MDC furnished the CAD drawings to update the LM GIS master file for the Mound site. Those changes have been made to the parcel ownership figure in this document (Figure 31).

These February changes were not shown on the Montgomery County property website as of April 30.

CHECKLIST WORKSHEET
Review of Effectiveness of Institutional Controls

Scope: IC Compliance for the Mound, Ohio, Site (Mound Site)

If property ownership changed, were the requirements for IC compliance included in the legal documents filed with Montgomery County? Was EPA notified of the property transfer as required in the quitclaim deed?

Yes.

Frank Bullock sent an email on December 24, 2014, to Gwen Hooten, LM, and Brian Nickel, Ohio EPA, notifying them of the property transfer. This notification included a copy of the quitclaim deed for Mound Lot 8000 from City of Miamisburg and the Limited Warranty Deed from MDC to Dyrdek Group. Both deeds referred to the land use restrictions.

The quitclaim deed stated, "...THE INTEREST CONVEYED HEREBY IS SUBJECT TO COVENANTS AND RESTRICTIONS FOUND IN THE DEED FROM THE UNITED STATES GOVERNMENT TO GRANTOR AND RECORDED AS INSTRUMENT NO. 09-011643 OF THE DEED RECORDS OF THE MONTGOMERY COUNTY, OHIO RECORDER'S OFFICE. PRIOR DEED REFERENCE: Instrument No. 2013-00079430 of the Montgomery County, Ohio..."

The limited warranty deed stated, "...THE INTEREST CONVEYED HEREBY IS SUBJECT TO AN ENVIRONMENTAL COVENANT DATED NOVEMBER 2, 2011, RECORDED IN THE DEED OR OFFICIAL RECORDS OF THE MONTGOMERY COUNTY RECORDER ON JANUARY 24, 2012 IN DEED INSTRUMENT NO. 2012-00004722. THE ENVIRONMENTAL COVENANT CONTAINS THE FOLLOWING ACTIVITY AND USE LIMITATIONS:

Prohibition against residential use and farming activities; prohibition against use of groundwater; prohibition against removal of soil from Mound property.

Owner or transferee, if applicable, shall notify Ohio EPA within ten (10) days after each conveyance of interest of the Property or any portion thereof..."

Were there any reported issues relating to access by DOE, EPA, Ohio EPA, ODH, their agents, contractors, or employees to property to implement or enforce the ICs?

No.

Observations during physical inspections:

- Evidence of unauthorized soil removal? No.
- Evidence of unauthorized groundwater use? No.

CHECKLIST WORKSHEET – COMBINED – ALL PARCELS
Review of Effectiveness of Institutional Controls

Scope: IC Compliance for the Mound, Ohio, Site (Mound Site)

- **Evidence of land use other than “industrial” (e.g., residential)?** No.

- **Signage/markers in good repair (if applicable)?**

The signs near the bike path and east of the pond on Vanguard Blvd. were replaced on April 15, 2015. There were three signs in that area as of April 30, 2015.

A new identification sign was installed at the NPDES Outfall 003. That sign is required by Ohio EPA. It is not an IC-related sign.

- **Evidence of tampering on the groundwater monitoring wells? (Well maintenance is not an IC.)**

No. All wells appeared to be maintained properly. A new well casing and concrete apron had been installed for well 0346.

Inspectors had been notified that the City of Miamisburg had placed green flags near two offsite wells on City property. These flags marked a proposed pipeline from the sewage pumping station toward the river, which was part of a major sewer update project. The concern is that these wells could be blocked or damaged during a construction phase of the project. Gwen Hooten discussed this with Chris Fine during the March 25 meeting about ICs. Mr. Fine furnished the Engineering Department contact for the project, who will advise SN3 and LM as the project planning continues.

- **Is the OU-1 pump-and-treat system functioning as designed and in good repair?**

With the approval of the Mound Core Team, the OU-1 pump-and-treatment (P&T) system was shut down on September 15, 2014, and put in standby mode to support the OU-1 Enhanced Attenuation Field Demonstration.

Gary Weidenbach, SN3, advised that SN3 added a monthly system standby mode inspection checklist to the pump-and-treat maintenance procedure manual, which is a controlled document. SN3 inspects this system is monthly.

- **T Building only - areas with additional institutional controls: Have ICs been followed?** See O&M Plan, Appendix B, “T Building Special IC Areas—Core Team Agreement, Position Paper, and Floor Plan Figure.”

CHECKLIST WORKSHEET
Review of Effectiveness of Institutional Controls

Scope: IC Compliance for the Mound, Ohio, Site (Mound Site)

The floor of Rooms 57 and 58 and the other special IC areas in the T Building were dry.

Gary Weidenbach, SN3, advised that MDC identified the problem from last year's inspection as a malfunctioning sump pump, which MDC's maintenance contractor has repaired.

LM filled the cracks in the red concrete as a good management practice. The material used was ATC 100, which is a single-component elastomeric sealant without free isocyanates or solvents (VOCs.) Appendix A includes the product specification sheet.

Based on physical inspections, records reviews, and questionnaires, and interviews, was there evidence of IC noncompliance?

No evidence of IC noncompliance was noted.

Miscellaneous items noted during review or physical walkdown:

No major IC issues were identified.

The total site acreage covered by ICs is not captured in the current MDC/City parcel replatting. Some of the roadways and right-of-way acreage is not included in the property parcels registered with Montgomery County. There are also two very small areas that are excluded with the notation, "right of way dedication," in the drawings furnished by MDC, which are included in Appendix E.

Recommendations from 2015 preliminary physical inspections or records reviews:

1. Continue to remove debris from grate leading to storm drains uphill of OU-1. (MDC).
2. Core Team discuss and recommend how the road and "right of way" acreage within the 1998 site boundary should be handled with regard to property ownership and IC compliance.

Recommendations from physical walkdown with regulators:

None.

Conclusion/comments:

The ICs at the Mound Site appear to be functioning as designed in the parcel records of decision and the Environmental Covenant.

Mound Site Landowners - Institutional Control Compliance Form

The United States Department of Energy (DOE) remediated the Mound Site Property to the Environmental Protection Agency's (EPA's) risk-based standards for **industrial/commercial use only**. Because the site is not approved for unlimited use, the CERCLA remedy includes institutional controls (ICs) in the form of use restrictions.

ICs are administrative and legal controls that help minimize the potential for human exposure to contamination and/or protect the integrity of the remedy. The DOE Office of Legacy Management (LM) is required to monitor for adherence to the ICs to assure compliance.

Please complete the following questionnaire for the period of May 1, 2014 through April 30, 2015, and return to DOE LM within 30 days.

As identified in your quitclaim deed, the Mound Site ICs are designed to:

1) **Prohibit the removal of soil** from the original DOE Mound Plant Property boundaries, unless prior written approval from Ohio EPA and Ohio Department of Health (ODH) has been obtained.

1a) Was soil removed from your property? Yes ___ No

1b) If yes, was the soil removed from the original DOE Mound Plant Property boundaries? Yes ___ No ___

1c) If yes, please include a copy of the written approval.

2) **Prohibit the extraction or consumption of, exposure to, or the use in any way of the groundwater** underlying the premises, unless prior written approval from EPA and Ohio EPA has been obtained.

2a) Was a new well installed on your property? Yes ___ No

2b) If yes, please include a copy of the written approval.

3) **Limit land use to industrial/commercial use only**. The Record of Decision for each parcel identifies land uses that will not be permitted, but the list is not all-inclusive. Parcels may not be used for any residential or farming activities, or any activities that could result in the chronic exposure of children less than 18 years of age to soil or groundwater from the premises. Restricted uses include, but are not limited to:

- Single or multi-family dwellings or rental units.
- Daycare facilities.
- Schools or other educational facilities for children less than 18 years of age.
- Community centers, playgrounds, or other recreational or religious facilities for children less than 18 years of age.

3a) Did any of these restricted uses occur on your property within the past year? Yes ___ No

3b) If yes, please provide an explanation:

4) **Prohibit the removal of concrete floor material in specified rooms of T Building** to off-site locations without prior approval from EPA, OEPA, and ODH.

4a) Do you occupy T-Building? Yes ___ No

4b) If yes, did you remove any of the floor material in the specified T building rooms to an off-site location? Yes ___ No

4c) If yes, please provide approval documentation.

Mound Site Landowners - Institutional Control Compliance Form

5) **Prohibit the penetration of concrete floors in specified rooms of T Building** without prior approval from EPA, OEPA, and ODH.

5a) Do you occupy T-Building? Yes No *NA*

5b) Did you penetrate the concrete floors in the specified T building rooms? Yes No *NA*

5c) If yes, please provide approval documentation.

6) **Allow site access** to federal and state agencies and their contractors for sampling and monitoring.

As a property owner or company representative, I understand and comply with these ICs.

William Othick W.A. Othick 3/25/15
Printed Name Signature Date

CEO Boisolutions INC
Title Company

Please return the signed form within 30 days of receipt. If you have any questions, please contact Gwen Hooten, the LM Mound Site Manager, at gwen.hooten@lm.doe.gov or at (720) 880-4349.

Mound Site Landowners - Institutional Control Compliance Form

The United States Department of Energy (DOE) remediated the Mound Site Property to the Environmental Protection Agency's (EPA's) risk-based standards for **industrial/commercial use only**. Because the site is not approved for unlimited use, the CERCLA remedy includes institutional controls (ICs) in the form of use restrictions.

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 - 1a) Was soil removed from your property? Yes No .
 - 1b) If yes, was the soil removed from the original DOE Mound Plant Property boundaries? Yes No .
 - 1c) If yes, please include a copy of the written approval.
- 2) **Prohibit the extraction or consumption of, exposure to, or the use in any way of the groundwater** underlying the premises, unless prior written approval from EPA and Ohio EPA has been obtained.
 - 2a) Was a new well installed on your property? Yes No .
 - 2b) If yes, please include a copy of the written approval.
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 - Daycare facilities.
 - Schools or other educational facilities for children less than 18 years of age.
 - Community centers, playgrounds, or other recreational or religious facilities for children less than 18 years of age.
 - 3a) Did any of these restricted uses occur on your property within the past year? Yes No .
 - 3b) If yes, please provide an explanation:

- 4) **Prohibit the removal of concrete floor material in specified rooms of T Building** to off-site locations without prior approval from EPA, OEPA, and ODH.
 - 4a) Do you occupy T-Building? Yes No .
 - 4b) If yes, did you remove any of the floor material in the specified T building rooms to an off-site location? Yes No .
 - 4c) If yes, please provide approval documentation.

Mound Site Landowners - Institutional Control Compliance Form

5) **Prohibit the penetration of concrete floors in specified rooms of T Building** without prior approval from EPA, OEPA, and ODH.

5a) Do you occupy T-Building? Yes ___ No

5b) Did you penetrate the concrete floors in the specified T building rooms? Yes ___ No .

5c) If yes, please provide approval documentation.

6) **Allow site access** to federal and state agencies and their contractors for sampling and monitoring.

As a property owner or company representative, I understand and comply with these ICs.

Keith D. Johnson  3/22/15
Printed Name Signature Date

City Manager City of Miamisburg
Title Company

Please return the signed form within 30 days of receipt. If you have any questions, please contact Gwen Hooten, the LM Mound Site Manager, at gwen.hooten@lm.doe.gov or at (720) 880-4349.

Mound Site Landowners - Institutional Control Compliance Form

The United States Department of Energy (DOE) remediated the Mound Site Property to the Environmental Protection Agency's (EPA's) risk-based standards for **industrial/commercial use only**. Because the site is **not approved** for unlimited use, the CERCLA remedy includes institutional controls (ICs) in the form of use restrictions.

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 - 1b) If yes, was the soil removed from the original DOE Mound Plant Property boundaries?
Yes ___ No ___.
 - 1c) If yes, please include a copy of the written approval.

- 2) **Prohibit the extraction or consumption of, exposure to, or the use in any way of the groundwater** underlying the premises, unless prior written approval from EPA and Ohio EPA has been obtained.
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 - Schools or other educational facilities for children less than 18 years of age.
 - Community centers, playgrounds, or other recreational or religious facilities for children less than 18 years of age.
 - 3a) Did any of these restricted uses occur on your property within the past year? Yes ___ No .
 - 3b) If yes, please provide an explanation:

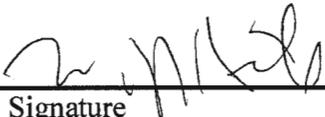
- 4) **Prohibit the removal of concrete floor material in specified rooms of T Building** to off-site locations without prior approval from EPA, OEPA, and ODH.
 - 4a) Do you occupy T-Building? Yes ___ No ___
 - 4b) If yes, did you remove any of the floor material in the specified T building rooms to an off-site location? Yes ___ No ___.
 - 4c) If yes, please provide approval documentation.

N/A

Mound Site Landowners - Institutional Control Compliance Form

- 5) **Prohibit the penetration of concrete floors in specified rooms of T Building** without prior approval from EPA, OEPA, and ODH.
- 5a) Do you occupy T-Building? Yes ___ No ___
- 5b) Did you penetrate the concrete floors in the specified T building rooms? Yes ___ No ___.
- 5c) If yes, please provide approval documentation.
- 6) **Allow site access** to federal and state agencies and their contractors for sampling and monitoring.

As a property owner or company representative, I understand and comply with these ICs.

Michael J. Hill  3/25/15
Printed Name Signature Date

Art Director A New Workshop LLC.
Title Company

Please return the signed form within 30 days of receipt. If you have any questions, please contact Gwen Hooten, the LM Mound Site Manager, at gwen.hooten@lm.doe.gov or at (720) 880-4349.

Mound Site Landowners - Institutional Control Compliance Form

The United States Department of Energy (DOE) remediated the Mound Site Property to the Environmental Protection Agency's (EPA's) risk-based standards for **industrial/commercial use only**. Because the site is not approved for unlimited use, the CERCLA remedy includes institutional controls (ICs) in the form of use restrictions.

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As identified in your quitclaim deed, the Mound Site ICs are designed to:

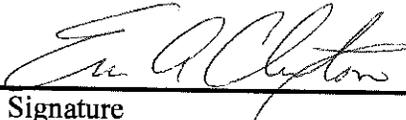
- 1) **Prohibit the removal of soil** from the original DOE Mound Plant Property boundaries, unless prior written approval from Ohio EPA and Ohio Department of Health (ODH) has been obtained.
 - 1a) Was soil removed from your property? Yes No .
 - 1b) If yes, was the soil removed from the original DOE Mound Plant Property boundaries? Yes No .
 - 1c) If yes, please include a copy of the written approval.
- 2) **Prohibit the extraction or consumption of, exposure to, or the use in any way of the groundwater** underlying the premises, unless prior written approval from EPA and Ohio EPA has been obtained.
 - 2a) Was a new well installed on your property? Yes No .
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- 3) **Limit land use to industrial/commercial use only**. The Record of Decision for each parcel identifies land uses that will not be permitted, but the list is not all-inclusive. Parcels may not be used for any residential or farming activities, or any activities that could result in the chronic exposure of children less than 18 years of age to soil or groundwater from the premises. Restricted uses include, but are not limited to:
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- 4) **Prohibit the removal of concrete floor material in specified rooms of T Building** to off-site locations without prior approval from EPA, OEPA, and ODH.
 - 4a) Do you occupy T-Building? Yes No .
 - 4b) If yes, did you remove any of the floor material in the specified T building rooms to an off-site location? Yes No .
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Mound Site Landowners - Institutional Control Compliance Form

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- 5a) Do you occupy T-Building? Yes ___ No
- 5b) Did you penetrate the concrete floors in the specified T building rooms? Yes ___ No ___.
- 5c) If yes, please provide approval documentation.
- 6) **Allow site access** to federal and state agencies and their contractors for sampling and monitoring.

YES
As a property owner or company representative, I understand and comply with these ICs.

<u>ERIC A CLUXTON</u>	<u></u>	<u>3/26/15</u>
Printed Name	Signature	Date
<u>PRESIDENT</u>	<u>MOUND DEVELOPMENT CORP</u>	
Title	Company	

Please return the signed form within 30 days of receipt. If you have any questions, please contact Gwen Hooten, the LM Mound Site Manager, at gwen.hooten@lm.doe.gov or at (720) 880-4349.

Description and Uses

ATC 100 is a single component elastomeric sealant without free isocyanates or solvents (VOCs.) It cures rapidly by drying to form a flexible joint between substrates. It has excellent adhesion to most materials including plywood, plastic, concrete, masonry and metal.

ATC 100 is a hybrid water, vapor, gas and radon resistant sealant polymer, specially designed to adhere to damp or dry surfaces, making it excellent for sealing cove joints and concrete floor cracks against radon, methane, water, water vapor and other soil gasses. ATC 100 is excellent for bonding plastic, concrete and other materials and substrates. ATC 100 is UV resistant and can be used on exterior and interior surfaces. ATC 100 can be painted after curing

Where to Use

- Cove joints
- Concrete floor cracks
- Interior or exterior

Advantages

- No VOCs
- Combines the best qualities of polyurethane and silicone sealant
- Non-yellowing
- Isocyanate free
- High bond strength
- Easy flow

Technical Data

Appearance	Pasty
Color	Grey
Density at 200 C	1.65 +/- 0.05
Sagging (ISO 73900)	No
Application Temperature	40 ^o -100 ^o F
Temperature resistance	-4 ^o -190 ^o F
Cure Time @ 750F and 50% HR	50 minutes
Skin Formation time @750F and 50% HR	24-36 Hrs
Final Shore A Hardness (ISO 868-3 sec.)	>30
Modulus at 100% (ISO 8339)	>70 psi
Elongation at Break (ISO 8339)	>140 psi
Resistance to dilute acids and bases	Good
UV Resistance	Excellent
Water and salt spray resistance	Excellent
Compatibility with paints	Yes

Application Instructions

Preparation:

The substrates must be clean, dry free of dust, oil, grease, and any contaminants that could harm bonding. All traces of poorly adhered paint or coatings should be removed beforehand. If the substrates to be cleaned, solvents such as methylethylketone (MEK) or acetone may be used. Check the compatibility of the solvent used with the substrates. It may be necessary to rub down the substrate beforehand. After rubbing down, the surface should be re-cleaned. Allow the substrate to dry after degreasing. Note: When using solvents, extinguish all sources of ignition and carefully follow the safety and handling instruction given by the manufacturer or supplier.

Caulking:

ATC 100 may be applied by manual or pneumatic gun.

After application, each joint should be tight up to the joint lip and smoothed with a putty knife. This product should be used within 24 hours of opening the cartridge. If stored in cold weather, store the cartridges at 70°F prior to use.

Drying Time

Skin time is 50 minutes. Full cure at 24 hours depending on temperature and humidity.

Clean Up

Tools should be cleaned with MEK or acetone before the sealant has completely cured. After curing, abrasion is necessary.

Storage and Shelf Life

12 months in the original hermetically sealed packaging between 40-75°F.

Packaging

10.4 oz cartridges

Safety

Not classified as hazardous. Read the MSDS before use.

Warranty

Recommendations concerning the performance or use of this product are based upon independent test reports believed to be reliable. If the product is proven to be defective, at the option of the Manufacturer, it will be either replaced or the purchase price refunded. The Manufacturer will not be liable in excess of the purchase price. The user will be responsible for deciding if the product is suitable for his application and will assume all risk associated with the use of the product. This warranty is in lieu of any other warranty expressed or implied, including but not limited to an implied warranty of merchantability or an implied warranty of fitness for a particular use.

THE FOREGOING WARRANTY SHALL BE EXCLUSIVELY AND IN LIEU OF AN OTHER WARRANTY, EXPRESS OR IMPLIED INCLUDING WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR USE AND PURPOSE AND ALL OTHER WARRANTIES OTHERWISE ARISING BY OPERATION OF LAW, COURSE OR DEALING, CUSTOM, TRADE OR OTHERWISE

Appendix B

Example of Real Estate Easement for Utility Work Performed on MDC Property

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**SUPPLEMENTARY DECLARATION OF EASEMENT TO
REAL ESTATE EASEMENT NO. 99-OH-00011**

THIS SUPPLEMENTARY DECLARATION OF EASEMENT TO REAL ESTATE EASEMENT NO. 99-OH-00011 ("Supplementary Declaration of Easement") is made on this 17th day of March, 2003, by MIAMISBURG MOUND COMMUNITY IMPROVEMENT CORPORATION, an Ohio non-profit corporation ("Declarant") under the terms and conditions set forth below.

RECITALS:

A. By virtue of Real Estate Easement No. 99-OH-00011 executed on September 22, 1999, and recorded at Microfiche No. 99-0702D09 (the "Original Easement"), The United States of America, acting by and through the Department of Energy ("DOE"), granted to AMERITECH an easement for the installation of communication lines over the area depicted in the Original Easement (the "Original Easement Area"), described in Exhibit A, attached hereto and incorporated herein by reference.

B. By virtue of a Quitclaim Deed dated August 4, 1999, and recorded at Microfiche No. 99-0852B11 of the Montgomery County, Ohio Recorder's office, and by virtue of a Quitclaim Deed dated November 19, 1999, and recorded at Microfiche No. 99-0852B05 of such Recorder's office, The United States of America, acting by and through the Secretary of the DOE, conveyed to Declarant the real property described on Exhibit B, attached hereto and incorporated herein by reference ("Declarant's Property"), which property is burdened by the Original Easement.

C. Declarant now desires to expand the Original Easement Area on the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the recitals set forth above and the terms and conditions set forth below, Declarant hereby declares as follows:

1. Grant. Declarant hereby grants to AMERITECH, its successors and assigns, a permanent, non-exclusive easement upon, over and under the area of the Declarant's Property described in Exhibit C, attached hereto and incorporated herein by reference ("Expanded Easement Area"). By making use of the Expanded Easement Area, AMERITECH shall be deemed to have agreed to be bound by the terms and conditions of this Declaration.

2. Compliance With Restrictions. AMERITECH shall have reviewed the restrictions and covenants set forth in the Deeds by which DOE conveyed to Declarant the Declarant's Property prior to the construction or installation of any of AMERITECH's equipment. AMERITECH agrees that, as set forth in the Deeds, its use of the Expanded Easement Area is subject to the terms thereof, and further agrees to be bound to comply with the restrictions and covenants set forth therein, including without limitation, the following:

2.1 Excepting those soils in an area approximately 40 feet wide and 218.17 feet long, bounded on the east by the centerline of Mound Road as described above, Grantee covenants that any soil from the Premises shall not be placed on any property outside the boundaries of that described in instruments recorded at Deed Book 1214, pages 10, 12, 15, 17 and 248; Deed Book 1215, page 347; Deed Book 1246,

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EASE-03-03B151 0023
Montgomery County
Judy Dodge Recorder

page 45; Deed Book 1258, pages 56 and 74; Deed; Deed Book 1256, page 179; Micro-Fiche 81-376A01; and Micro-Fiche 81-323A11 of the Deed Records of Montgomery County, Ohio (and as illustrated in the CERCLA 120(h) Summary, Notices of Hazardous Substances Release Block D, Mound Plant, Miamisburg, Ohio dated January, 1999) without prior written approval from the Ohio Department of Health (ODH), or a successor agency. AMERITECH warrants that it will make its officers, agents, contractors, employees, and others for whom it is responsible aware of the restriction on soil removal and contractually obligate agents and contractors to abide by this restriction.

2.2 Each utility provider covenants not to use, or allow the use of, the Declarant's Property for any residential or farming activities, or any other activities that could result in the chronic exposure of children under eighteen years of age to soil or groundwater from the Declarant's Property. Restricted uses shall include, but not be limited to:

- (1) single or multifamily dwellings or rental units;
- (2) day care facilities;
- (3) schools or other educational facilities for children under eighteen years of age; and
- (4) community centers, playgrounds, or other recreational religious facilities for children under eighteen years of age.

Declarant shall be contacted to resolve any questions that may arise as to whether a particular activity would be considered a restricted use.

2.3 AMERITECH covenants not to extract, consume, expose, or use in any way the groundwater underlying the Declarant's Property without the prior written approval of the United States Environmental Protection Agency (Region V) and the OEPA.

If there is any conflict between the terms of the Deeds and this Supplementary Declaration of Easement, the terms of the Deeds shall control.

3. Incorporation of Original Easement. This Supplementary Declaration of Easement incorporates by reference all of the terms, conditions and covenants of the Original Easement Agreement. By its acceptance of the easement granted in this Supplementary Declaration of Easement, AMERITECH hereby covenants to comply with and observe the terms, conditions and covenants of the Original Easement for the benefit of Declarant, its successors and assigns forever, and agrees that Declarant, its successors and assigns forever, shall have the right to enforce such terms, covenants and conditions. As used in the Original Easement, the term "premises" shall mean Declarant's real property, whether or not burdened by the easements granted herein or in the Original Easement, and all surrounding Government-owned real property. All notices required to be provided to the DOE under the Original Easement shall be provided to Declarant at 720 Mound Road, COS Bldg., Suite 480, Miamisburg, Ohio 45342-6714, Attn: Planning Manager, or such other address as provided by Grantor.

4. Reservation. Declarant reserves for itself, its successors and assigns forever, the right to use the Expanded Easement Area for any purpose not inconsistent with the rights conveyed to AMERITECH herein; provided however, that Declarant shall not use the Expanded Easement Area in a manner that will prevent or hinder its use by AMERITECH for the purposes provided herein.

5. Covenants Run with the Land: All covenants, agreements and conditions contained in this Supplementary Declaration of Easement shall be considered as running with the land.

IN WITNESS WHEREOF, the undersigned has executed this Supplementary Declaration of Easement on behalf of Declarant as of the day and year first set forth above.

DECLARANT:

MIAMISBURG MOUND COMMUNITY
IMPROVEMENT CORPORATION

By: Michael J. Grawinkelman

Printed Name: Michael J. Grawinkelman

Title: President

STATE OF OHIO, COUNTY OF MONTGOMERY, SS:

The foregoing instrument was acknowledged before me this 18th day of March, 2003, by Michael J. Grawinkelman the President of MIAMISBURG MOUND COMMUNITY IMPROVEMENT CORPORATION, an Ohio non-profit corporation, on behalf of said corporation.

Jean Wysock
NOTARY PUBLIC

Jean Wysock, Notary Public
In and for the State of Ohio
My Commission Expires June 28, 2004

This instrument prepared by:
Sharon L. Costello, Esq.
Cooledge Wall Womley & Lombard Co., L.P.A.
33 W. First Street, Suite 600
Dayton, Ohio 45402

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Appendix C

T Building Rooms with Special ICs—Mound Core Team Guidance and 2010 Baseline Photos

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T Building Rooms with Special ICs

In addition to the ICs for the entire site, the T Building has the following additional IC restrictions as described in the Parcels 6, 7, and 8 Record of Decision. The restrictions:

1. Prohibit the removal of concrete floor material in specified rooms of the T Building (Figure C-1) to offsite locations without prior approval from EPA, Ohio EPA, and ODH.
2. Prohibit the penetration of concrete floors in specified rooms of the T Building (Figure C-1) without prior approval from EPA, Ohio EPA, and ODH.

On June 29, 2009, the Mound Core Team signed an agreement for a position paper that provided policy guidelines for limited activities in these rooms that should not result in unacceptable risk to workers in the building.

The 4-page agreement and position paper, known as the *T Building Special IC Areas Core Team Agreement and Position Paper, 6-29-09*, are included in the CERCLA administrative record, in this appendix, and will be included in subsequent annual IC assessment reports.

Photos of T Building Rooms

The photos in this appendix show the baseline conditions of the rooms in April 2010. No changes have occurred since those photos were taken. Appendix D of this IC assessment report documents the condition of the cracks in the red concrete cap in Room 44 (survey area IC-10) and Room 59 (survey unit IC-21).

MDC took over maintenance of the T Building in December 2012 under the lease amendment #25 to the General Purpose Lease.

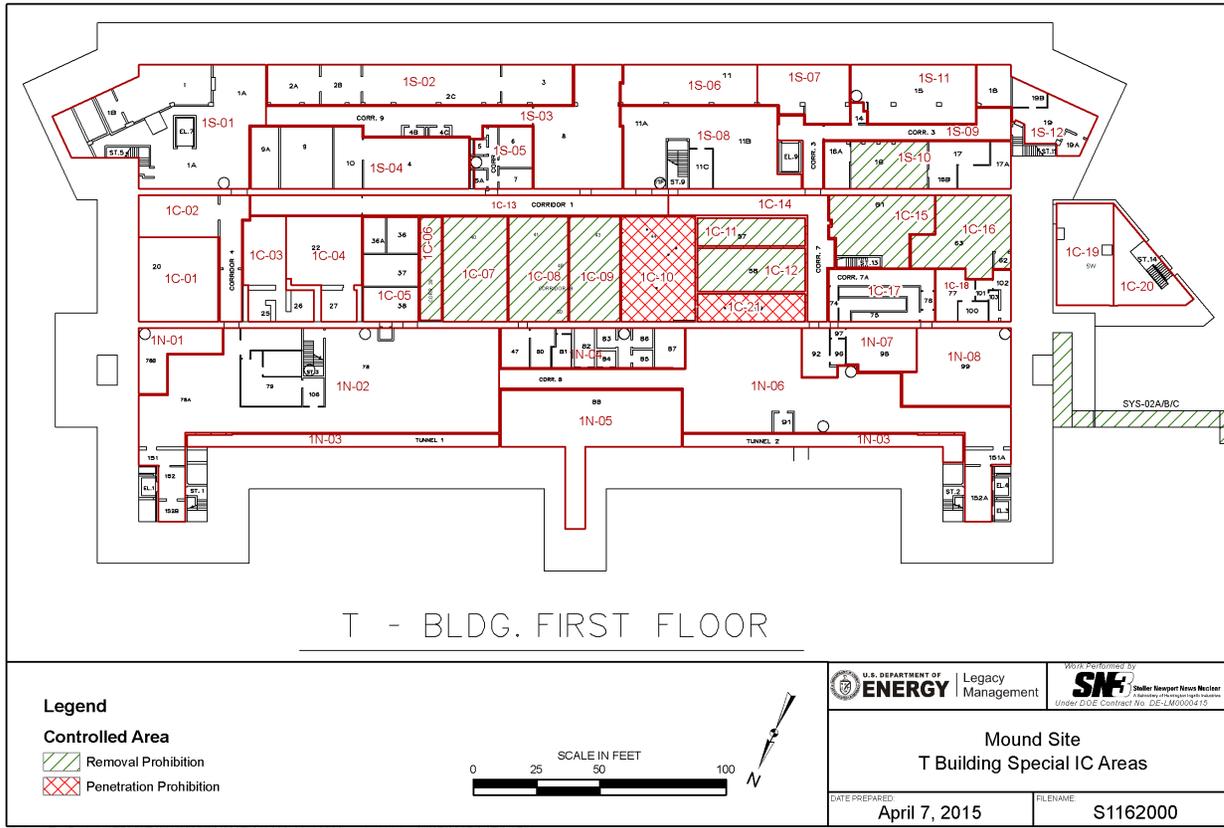


Figure C-1. T Building Rooms with Special ICs



The Mound Core Team
P.O. Box 66
Miamisburg, Ohio 45343-0066

6/29/09

As you know, The Proposed Plan for Parcels 6, 7 and 8 contains a restriction on the use of T Building which prohibits the penetration of concrete floors in rooms 50, 57 and 59 of T Building without prior approval from USEPA, OEPA, and ODH. The Miamisburg Mound Community Improvement Corporation (MMCIC) has asked the Core Team for a "blanket" approval to conduct limited activities in these rooms that should not result in an unacceptable risk to workers in the building.

The Core Team has evaluated this request and hereby grants approval for these activities provided they are conducted in accordance with the following policy guidelines:

1. Any driven penetration (e.g. concrete nails or explosive driven nails) of up to four inches in depth can be conducted without approval. As notification, the Core Team shall be provided a description of the activity, drawing of the room, and location of the proposed penetrations two weeks prior to physical activity.
2. Penetrations that involve removal of concrete shall be filled with concrete or steel. They shall not exceed four inches depth without approval of the Core Team. All penetrations of four inches or less requiring removal of concrete (drilling etc.) will require the submittal of a description of the activity, drawing of the room, and location of the proposed penetrations to the Core Team two weeks prior to the physical activity for notification purposes.
3. Any actions which remove or damage the concrete (including "driven penetrations") shall be filled within 120 days of completion.
4. Routine T Building occupants should be excluded from the area of activity for the duration of the renovation.

For your information, the Core Team has prepared the attached Position Paper which the Core Team used in its evaluation. MMCIC can use this Position Paper and these policy guidelines in determining which future activities may be acceptable to the Core Team in rooms 50, 57 and 59 of T Building. In any event, MMCIC must request approval for any activity not on this approved list.

DOE/MEMP: Paul C Lucas 7/14/09
Paul C. Lucas, Remedial Project Manager

USEPA: Timothy J. Fischer
Timothy J. Fischer, Remedial Project Manager

OEPA: Brian K. Nickel 7/14/09
Brian K. Nickel, Project Manager

Position Paper
T Building Cap Areas Renovation Guidelines

Background: T Building (Technical Building) is a massively constructed building on the Mound site with ten foot thick heavily reinforced concrete floors and similarly robust ceilings and walls. During the remediation of the T Building, the contractor encountered bulk contamination of the floor and footings in certain areas. Attempts to complete remediation of the contaminated floor and footer in the west end of room 50 and east end of rooms 57 and 59 were technically and economically difficult to justify. Following an assessment of the risks involved to the building's structural integrity if removal of contaminated concrete continued (attached), a decision was made to leave the contaminated concrete sub floor and footer in place, and to add a cap of color coded (red) concrete to provide a margin of safety from the residual contamination. The Department of Energy (DOE) currently owns the facility and wishes to transfer ownership to the Miamisburg Mound Community Improvement Corporation (MMCIC) for future development. To ensure the health and safety of future workers and occupants of T Building, a deed restriction will be placed on T Building limiting the disturbance of concrete in those areas with residual contamination. This paper outlines some of the technical basis allowing latitude in the disturbance of the concrete cap.

As stated above, the DOE and its contractors evaluated the residual contamination to ensure that future worker safety was protected. Specifically future worker doses were modeled to ensure that they would not reasonably be expected to receive an additional 15 mrem of equivalent dose due to occupation in T Building. Samples of the residual contamination were taken. As a conservative measure, the average of the five highest areas of contamination was used as input for the entire area. This data was input into the RESRAD Build dose evaluation code. This code is jointly developed by the DOE and the Nuclear Regulatory Commission (NRC) for just this type of situation.

Under this scenario, two types of workers were evaluated. The first type was an office worker who occupies the building for an entire year. Doses for this type of worker were previously calculated and found to fall within the 15 mrem per year guidelines. The calculations for this type of worker assume that no renovation is occurring while that worker occupies the area, i.e. the concrete cap is intact. A second worker, the renovation worker, was originally modeled using similar physical characteristics of the building, but differing inputs commensurate with the type of work. For example, the breathing rates and occupancy rates for the renovation worker differ from that of an office worker. The original calculations for the renovation worker in T Building were 1.86 mrem. Of that dose, 0.17 mrem is due to direct radiation from the residual contamination under the protective cap. The remainder is from low level residual contamination throughout T Building.

A review of the Final Status Surveys for T Building indicates that the thickness of the cap is nominally 11 inches. It was placed at this thickness to bring the floor elevation level with the adjoining hallway floor surfaces. Based on the very low dose rates cited above (0.17 mrem) for external exposure, there is excess concrete serving as a shielding material for the bulk contamination below. This would allow for temporary removal or penetration of some portion of this concrete to allow for anchoring of equipment and walls of future tenants. It should be noted,

that in order to maintain the integrity of the calculations for the office worker, any floor penetration should be repaired or steel anchors inserted (steel being a better shield than concrete).

Calculations: As implied, records for the original calculations were retrieved from storage. Although it was generally known that excess concrete was placed, there was no known calculation of how much excess existed and none was found during the review of the records. The RESRAD Build calculations that were found used all 11 inches of concrete as shielding to arrive at the 0.17 mrem cited earlier. In addition, due to the presence of the cap, it was assumed that none of the contamination contained in the subsurface concrete and footers becomes airborne.

RESRAD Build continues to be maintained and updated by Argonne National Laboratory. The current version is slightly modified from the version originally used to model these doses. In order to ensure continuity, a baseline calculation was performed using the parameters from the original calculations. With only slight variations, they agreed. The original calculations indicated 1.70 mrem due to other building residual contamination. The new version calculated this same component to be 1.69 mrem. The total for both the cap area and the remainder of the building was 1.86 mrem for both versions, indicating strong agreement between the two.

In order to establish a margin of safety another calculation used the same input parameters except that the thickness of the cap was reduced by seven inches (to a nominal four inches total thickness). This further reduced thickness yielded an exposure to the renovation worker of 5.93 mrem. This remains protective of the renovation worker.

Recommendation: If the core team decides to allow penetration of the "red" concrete cap, it would be prudent to allow for some margin of safety to preclude accidental penetration to depths greater than currently analyzed. Note that the cap penetrations should be restored or replaced with anchors that provide similar or greater shielding capabilities. Recall also that one of the major assumptions is that the cap prevents the contamination below it from becoming airborne, so that the integrity of the cap must be maintained. Consideration must be given to the ability to ensure that recommendations are followed (i.e. penetrations are not greater than depth specified etc.). Also note that additional work could be carried out safely but may require additional analysis.

Policy Guidelines: As discussed, some guidelines should be established to administer penetration of the concrete in these areas. Such guidelines could be as follows:

1. Any driven penetration (e.g. concrete nails or explosive driven nails) of up to four inches in depth can be conducted without approval. As notification, the Core Team should be provided a description of the activity, drawing of the room, and location of the proposed penetrations two weeks prior to physical activity.
2. Penetrations that involve removal of concrete shall be filled with concrete or steel. They shall not exceed four inches depth without approval of the Core Team. All penetrations of four inches or less requiring removal of concrete (drilling etc.) will require the submittal of a description of the activity, drawing of the room, and location of the proposed penetrations to the Core Team two weeks prior to the physical activity for notification purposes.
3. Any actions which remove or damage the concrete (including "driven penetrations") shall be filled within 120 days of completion.
4. Routine T Building occupants should be excluded from the area of activity for the duration of the renovation.

The floorplan to the right shows the camera angles for Figures C-2 through C-11.

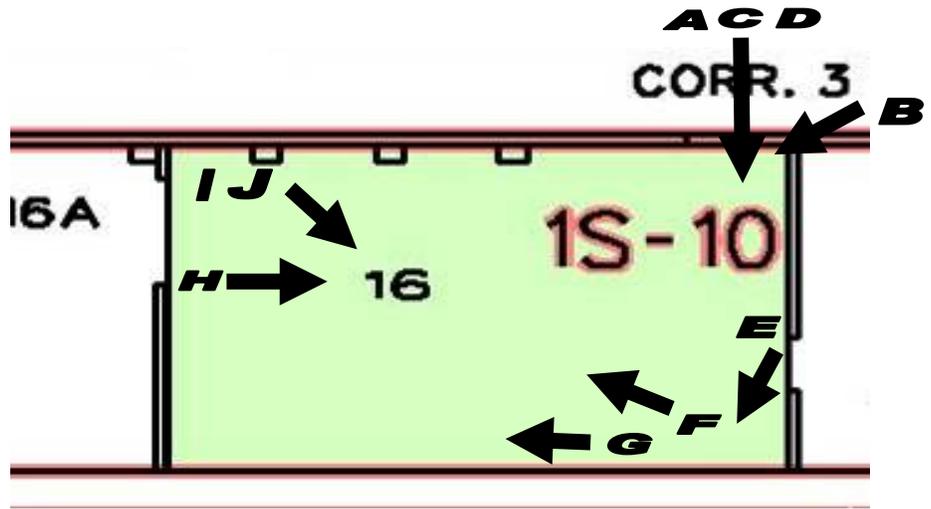


Figure C-2. T Bldg. Room 16 View A.



Figure C-3. T Bldg. Room 16 View B.



Figure C-4. T Bldg. Room 16 View C.



Figure C-5. T Bldg. Room 16 View D.



Figure C-6. T Bldg. Room 16 View E.



Figure C-7. T Bldg. Room 16 View F.



Figure C-8. T Bldg. Room 16 View G.



Figure C-9. T Bldg. Room 16 View H.



Figure C-10. T Bldg. Room 16 View I.



Figure C-11. T Bldg. Room 16 View J.

(The floorplan to the right shows the camera angles for Figures C-12 through C-19.)

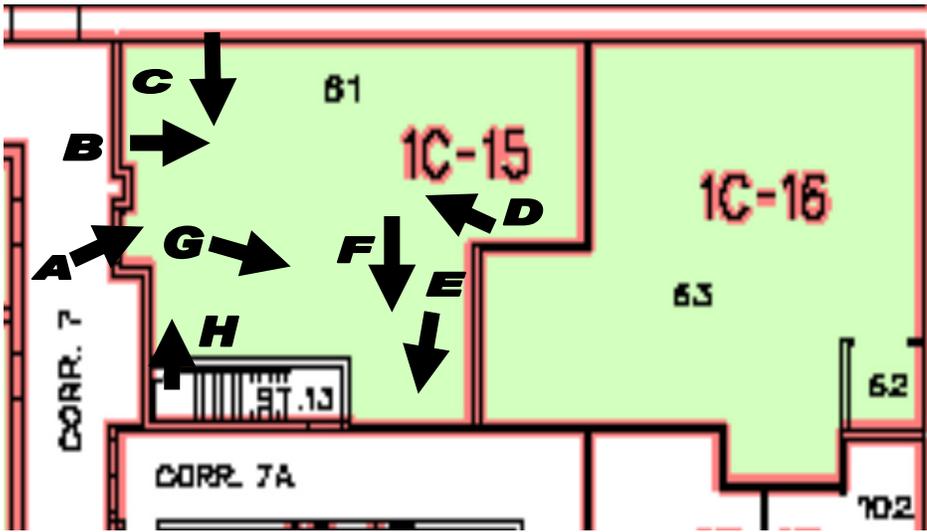


Figure C-12. T Bldg. Room 61 View A.



Figure C-13. T Bldg. Room 61 View B.



Figure C-14. T Bldg. Room 61 View C.



Figure C-15. T Bldg. Room 61 View D.



Figure C-16. T Bldg. Room 61 View E.



Figure C-17. T Bldg. Room 61 View F.



Figure C-18. T Bldg. Room 61 View G.



Figure C-19. T Bldg. Room 61 View H.

The floorplan to the right shows the camera angles for Figures C-20 through C-31.

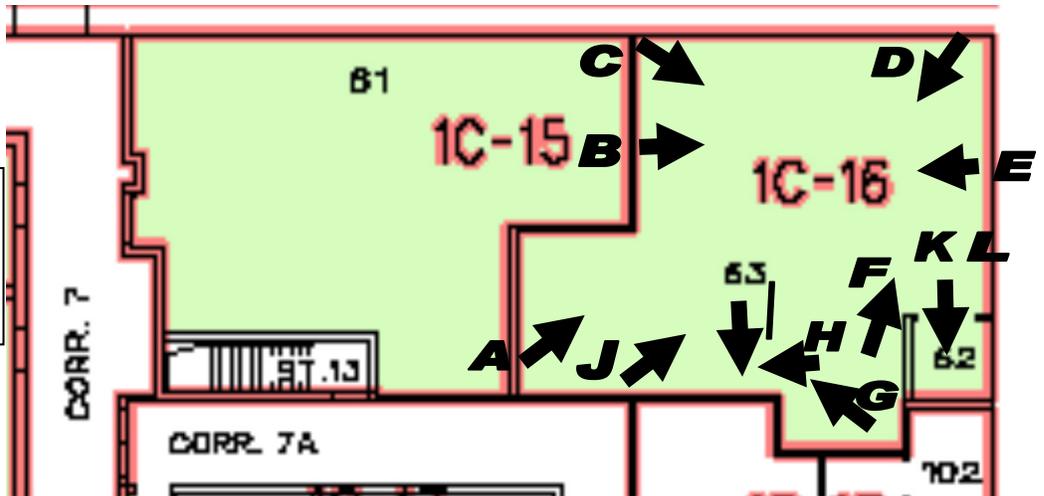


Figure C-20. T Bldg. Room 63 View A.



Figure C-21. T Bldg. Room 63 View B.



Figure C-22. T Bldg. Room 63 View C.



Figure C-23. T Bldg. Room 63 View D.



Figure C-24. T Bldg. Room 63 View E.



Figure C-25. T Bldg. Room 63 View F.



Figure C-26. T Bldg. Room 63 View G.



Figure C-27. T Bldg. Room 63 View H.



Figure C-28. T Bldg. Room 63 View I.



Figure C-29. T Bldg. Room 63 View J.



Figure C-30. T Bldg. Room 62 View K.



Figure C-31. T Bldg. Room 62 View L.

The floorplan to the right shows the camera angles for Figures C-32 through C-37.

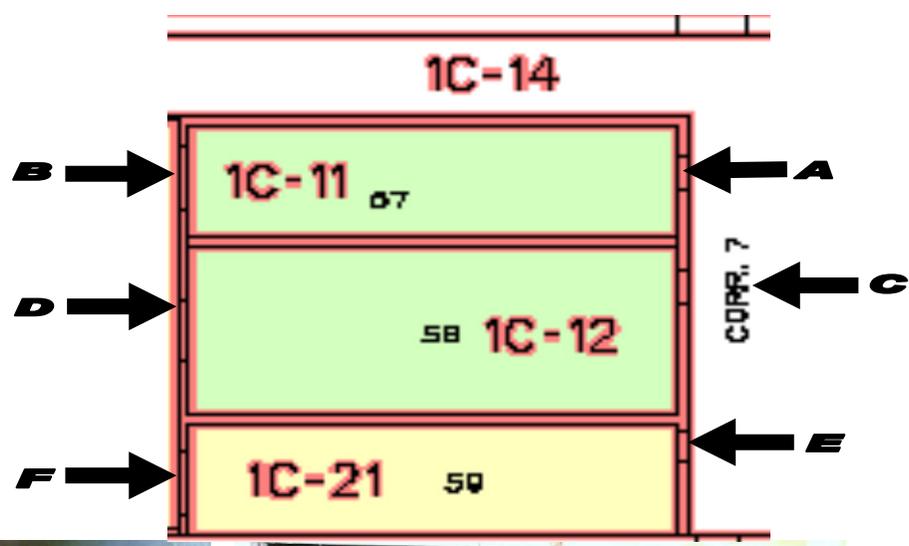


Figure C-32. T Bldg. Room 57 View A.



Figure C-33. T Bldg. Room 57 View B.

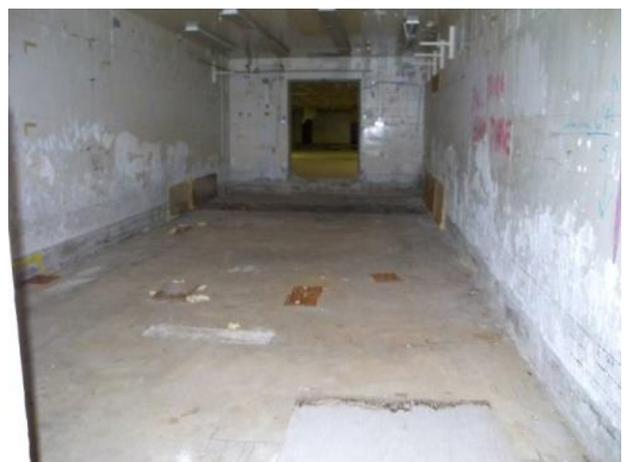


Figure C-34. T Bldg. Room 58 View C.



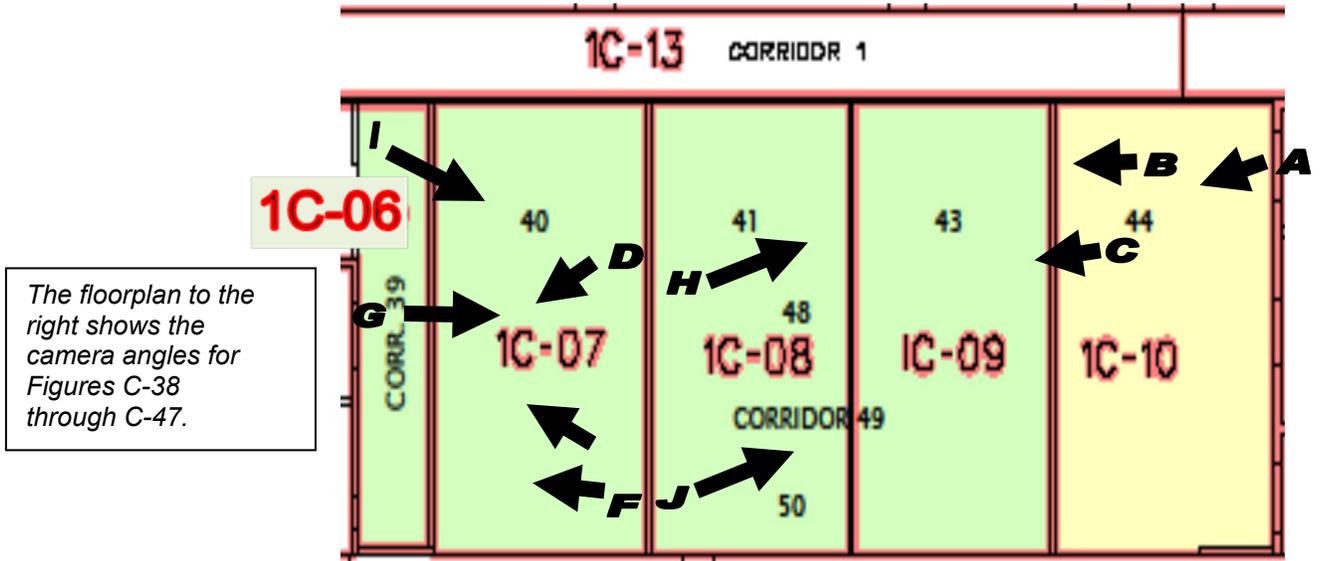
Figure C-35. T Bldg. Room 58 View D.



Figure C-36. T Bldg. Room 59 View E.



Figure C-37. T Bldg. Room 59 View F.



The floorplan to the right shows the camera angles for Figures C-38 through C-47.



Figure C-38. T Bldg. Rooms 39–44 and 48–50 View A. Figure C-39. T Bldg. Rooms 39–44 and 48–50 View B.



Figure C-40. T Bldg. Rooms 39–44 and 48–50 View C. Figure C-41. T Bldg. Rooms 39–44 and 48–50 View D.



Figure C-42. T Bldg. Rooms 39-44 and 48-50 View E. Figure C-43. T Bldg. Rooms 39-44 and 48-50 View F.



Figure C-44. T Bldg. Rooms 39-44 and 48-50 View G. Figure C-45. T Bldg. Rooms 39-44 and 48-50 View H.



Figure C-46. T Bldg. Rooms 39-44 and 48-50 View I. Figure C-47. T Bldg. Rooms 39-44 and 48-50 View J.

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Appendix D

Photos in 2015 of T Building Red Concrete Cracks

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T Building Red Concrete Cracks Photos

The photographs in Figure D-1 were taken for the 2015 Mound Site Annual IC Assessment to document the current condition of the cracks in the red concrete in specified rooms in the T Building.

The locations of the crack monitoring points are shown in Figure D-2.



Monitoring point A



Monitoring point A



Monitoring point B



Monitoring point B

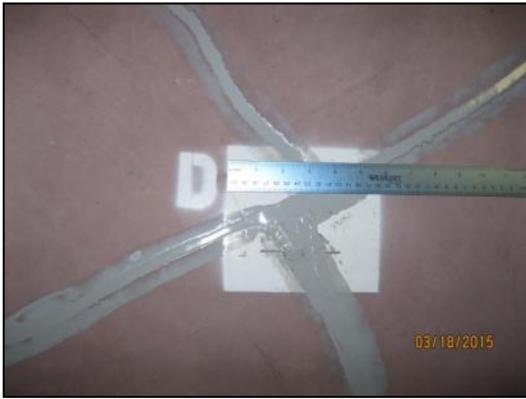


Monitoring point C



Monitoring point C

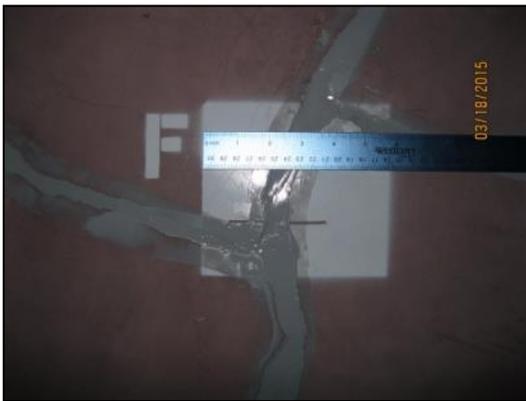
Figure D-1. T Building Red Concrete Area Monitoring Points in 2015



Monitoring point D



Monitoring point E



Monitoring point F



Monitoring point G

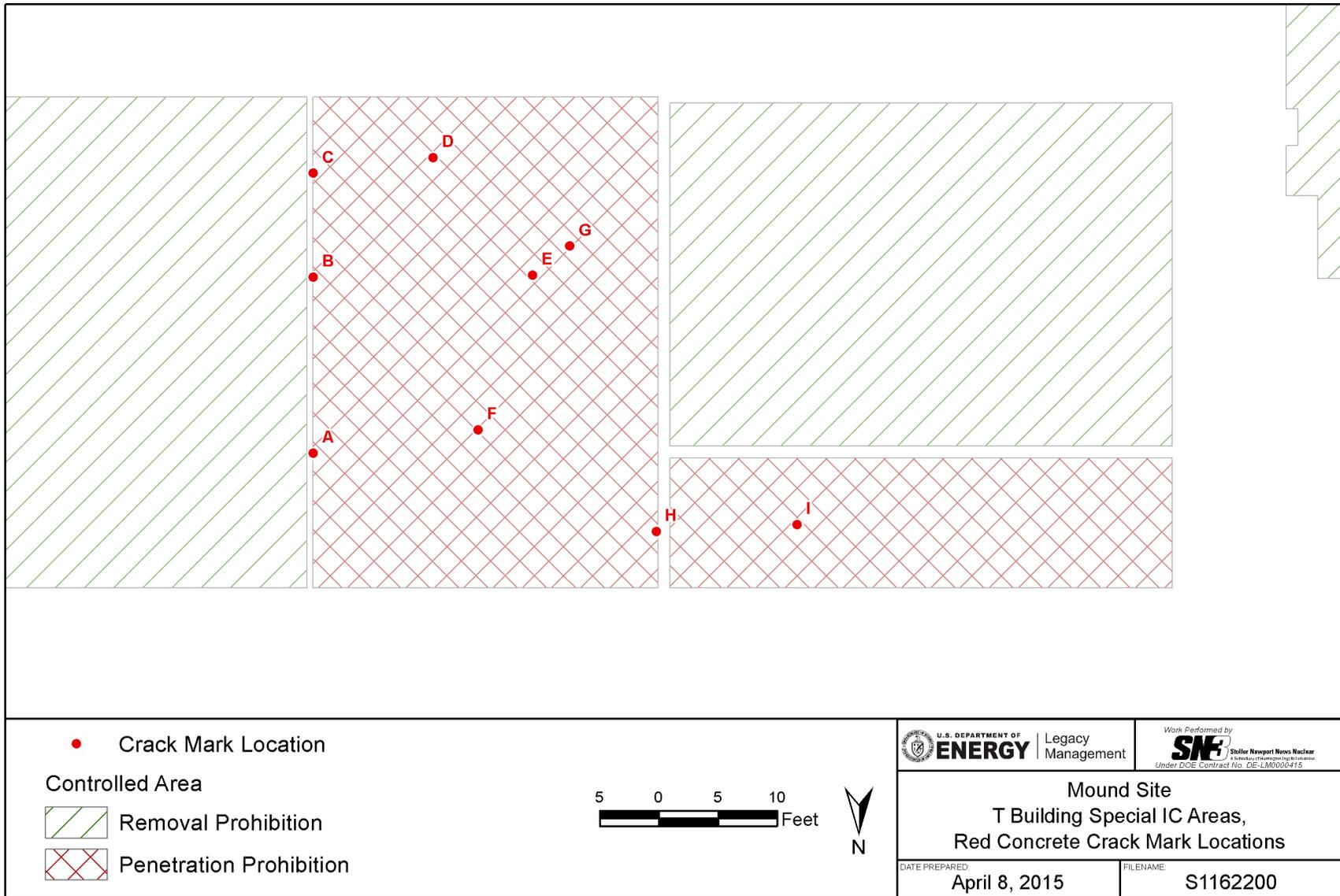


Monitoring point H



Monitoring point I

Figure D-1 (continued). T Building Red Concrete Area Monitoring Points in 2015



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Figure D-2. Mound Site, T Building Special IC Areas, Red Concrete Crack Mark Locations

Appendix E
Property Information

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Property Records from Montgomery County Auditors Website

April 30, 2015

Parcel ID (PARID)	Parcel Location on Record	Legal Description	Land Use	Acres	Deed	Sale	Conveyance	Owner per Record	General Location	Applicable ROD
City Of Miamisburg Owned Property										
K46 01507 0025	Vanguard Blvd.	7994 Mound Advanced Technology Center Sec 1	C - Commercial Vacant Land	2.1941	201300079430			City of Miamisburg Ohio	Left of main entrance	Parcel H minus road
K46 01507 0026	Vantage Pt.	7995 Mound Advanced Technology Center Sec 1	C - Other Commercial Structures	7.857				City of Miamisburg	Large parking lot	Parcel H minus road
K46 01507 0027	Capstone Dr.	7996 Mound Advanced Technology Center Sec 1	C - Other Commercial Structures	2.4123				City of Miamisburg	GH parking lot	Parcel 3 minus road
K46 01507 0028	Capstone Dr.	7997 Mound Advanced Technology Center Sec 1	C - Office Building 1-2 Stories	1.3139				City of Miamisburg	OSE Bldg. parking lot	Parcel 3 minus road
K46 01507 0029	Enterprise Ct.	7998 Mound Advanced Technology Center Sec 1	C - Office Building 1-2 Stories	2.3279				City of Miamisburg	Bldg. 102 1075 Mound Road	Phase IA
K46 01507 0030	Enterprise Ct.	7999 Mound Advanced Technology Center Sec 1	C - Other Commercial Structures	4.8008				City of Miamisburg	Bldg. 105 1095 Mound Road	Parcel D minus road
K46 01507 0033	Vanguard Blvd.	8002 Mound Advanced Technology Center Sec 1	C - Commercial Vacant Land	111.2165				City of Miamisburg	Large area with Parcel 4 & Phase I parts	Parcel 4, Phase IB, IC minus road
K46 01507 0034	Vanguard Blvd.	8003 Mound Advanced Technology Center Sec 1	C - Commercial Vacant Land	14.9112				City of Miamisburg	Pond	Parcel 4 minus road
K46 01507 0036	Vanguard Blvd.	8005 Mound Advanced Technology Center Sec 1	C - Commercial Vacant Land	2.7179				City of Miamisburg	Corner Benner and Rt. 25	Parcel 4 minus road
K46 01507 0037	Vanguard Blvd.	8006 Mound Advanced Technology Center Sec 1	C - Other Commercial Structures	0.8456				City of Miamisburg	Parking lot on right top of hill	Parcel 3 minus road
			Total City Owned Property	150.5972						

Property Records from Montgomery County Auditors Website

April 30, 2015

Parcel ID (PARID)	Parcel Location on Record	Legal Description	Land Use	Acres	Deed	Sale	Conveyance	Owner per Record	General Location	Applicable ROD
MDC Owned Property										
K46 01109T0007	1374 Vanguard Dr.	5-2-30, 5-2-36 Abatement 11-9-8, 15-7-21,22	E - Com Reinvest Area Tax Abatement	0.0000	2002-00128007			Miamisburg Mound Community	Redundant record	
K46 01507 0032	Vanguard Blvd.	8001 Mound Advanced Technology Center Sec 1	I - Manufacturing & Assembly Medium	10.0802				Miamisburg Mound Community Improvement Corp.	Excelitas area	Phase IB
K46 01507 0035	1374 Vanguard Blvd.	8004 Mound Advanced Technology Center Sec 1	C - Commercial Warehouses	3.0332				Miamisburg Mound Community Improvement Corp.	Flex Building	Parcel 4
			Total MDC Property	13.1134						
BOI Solutions Inc. Owned Property										
K46 00501 0017	955 Mound Road	2259	C - Office Building 1-2 Stories	5.3500	2012-00084260			BOI Solutions Inc.	Most of former 6A +parts of Parcel 7	Parcels 6, 7, and 8
K46 00501 0018	Mound Road	2259	E - Exempt Property Owned by USA	0.2710	2012-00084260			BOI Solutions Inc.	Part of 6A road front	Parcels 6, 7, and 8
			Total BOI Property	5.6210						
Dyrdek Group Inc. Owned Property										
K46 01507 0031	790 Enterprise Ct.	8000 Mound Advanced Technology Center Sec 1	C - Office Building 1-2 Stories	5.5191	201400069587			Dyrdek Group Inc. 2850 Ocean Park Blvd. Ste 300 Santa Monica, CA 90405	Bldg. 100	Parcel D minus road
			Total Dyrdek Property	5.5191						

Property Records from Montgomery County Auditors Website

April 30, 2015

DOE Owned Property										
PARID	Parcel Location on record	Legal Description	Land Use	Acres	Deed	Sale	Conveyance	Owner per Record	General Location	Applicable ROD
K46 00334 0021	Mound Ave.	5-2-36	E - Exempt Property Owned by USA	0.7235	01214 P00012			United States of America	Small area north of Parcel 6	Parcels 6, 7, and 8
K46 00501 0002	Mound Rd.	2259PT 5-1-9	E - Exempt Property Owned by USA	5.063	01214 P00017			United States of America	Most of Parcel 6	Parcels 6, 7, and 8
K46 00501 0015		2259PT	E - Exempt Property Owned by USA	0.1170	2012-00082086		DOE HQ to EMCBC	United States of America Department of Energy	Northern slice of 6A	Parcels 6, 7, and 8
K46 00501 0016		2259PT 2290PT, 5-2-30/36	E - Exempt Property Owned by USA	36.9990	2012-00082087		DOE HQ to EMCBC	United States of America	Approximately Parcel 7	Parcels 6, 7, and 8
K46 00503 0013	Old Main Street	2290PT	E - Exempt Property Owned by USA	64.2570	01258P00056			United States of America	Combo parts of Parcels 6, 8, and 9	Parcels 6, 7, and 8; Parcel 9
K46 00503 0030	Old Main Street	2290PT	E - Exempt Property Owned by USA	1.922	2012 0082087			United States of America	Part of Parcel 7 east of Excelitas	Parcels 6, 7, and 8
K46 01109 0001	Benner Rd.	4777PT	E - Exempt Property Owned by USA	10.2040	1981-00376A001			United States of America	OU1	Parcel 9
K46 01109 0003	S Dixie Dr.	4779	E - Exempt Property Owned by USA	1.6000	01258P000074			United States of America	Road west of laydown area	Parcel 9
				Total DOE Property	120.8855					
Total site acreage showing on county web (DOE, MDC, BOI)				295.7362						
				Historical acreage	305.0630					
Excludes roadways that continue to be covered by institutional controls.				Difference	-9.3268					

Notes:

This table shows current Montgomery County property records.

It does not contain the MDC resurveys and parcel changes made in February 2015. Those are shown in the following table.

The following table is based on the MDC/City December 2014 resurveys and replats.
 See MDC email and drawings on the following pages.
 Filed with Montgomery County on February 20, 2015.
 This information has not been updated on the Montgomery County Auditor's website as of April 30, 2015.

PARID	Parcel Location on record	Legal Description	Land Use	Acres	Deed	Sale	Conveyance	Owner per record	General Location
MDC-Owned Property									
K46 01507 0032		8001		10.0802					
K46 01507 00		8026		4.6975					
MDC-owned				14.7777					
City of Miamisburg-Owned Property									
The changed Parcel ID numbers and acreage noted are not on county website on April 30, 2015.									
K46 01507 0025		7994		2.1941					
K46 01507 00xx		8024		7.857					
K46 01507 0027		7996		2.4123					
K46 01507 0028		7997		1.3139					
K46 01507 0029		7998		2.3279					
K46 01507 0030		7999		4.8008					
K46 01507 0031		8000		5.5191					
K46 01507 00xx		8025		109.4752					
K46 01507 00xx		8028		14.8489					
K46 01507 00xx		8027		2.7833					
K46 01507 0037		8006		0.8456					
City-owned				154.3781					
Total	Includes some streets			169.1558					

Massie, Joyce (CONTR)

From: Hooten, Gwen
Sent: Wednesday, January 14, 2015 4:58 PM
To: Lutz, Melissa (CONTR); Massie, Joyce (CONTR)
Subject: FW: Sale of Property - Mound
Attachments: DEED City of Miamisburg to Mound Lot 8000 (00726801@xA06A8).pdf; SIGNED Limited Warranty Deed Mound to Dyrdek Group (00727032@xA06A8).pdf

From: Frank Bullock [<mailto:FBullock@mound.com>]
Sent: Wednesday, December 24, 2014 8:32 AM
To: Hooten, Gwen; Brian Nickel
Cc: Eric Cluxton; Karen Kenwell
Subject: Sale of Property - Mound

Gwen/Brian

Attached is the Deed that transferred the Bldg 100 property from the City to MDC and the deed from MDC to Dyrdek group, which bought the building.

Let us know if you have any questions.

Frank Bullock, PE, RPA
Mound Development Corporation
Director of Operations
(937) 865-4052
(937) 369-3778 (Cell)
www.Mound.com



Before printing this e-mail, please consider the environment



File# 2014-00069586

3

QUIT CLAIM DEED
(Ohio Statutory Form)

CITY OF MIAMISBURG, OHIO, an Ohio municipal corporation ("Grantor"), for valuable consideration paid, grants to **MOUND DEVELOPMENT CORPORATION**, an Ohio not-for-profit corporation f/k/a/ Miamisburg Mound Community Improvement Corporation, having an address of 965 Capstone Drive, P.O. Box 232, Miamisburg, Ohio 45342-0232 "(Grantee)", the real property described on Exhibit A attached hereto and incorporated hereby by reference (referred to in this Deed as the "Lot").

THE INTEREST CONVEYED HEREBY IS SUBJECT TO COVENANTS AND RESTRICTIONS FOUND IN THE DEED FROM THE UNITED STATES GOVERNMENT TO GRANTOR AND RECORDED AS INSTRUMENT NO. 09-011643 OF THE DEED RECORDS OF THE MONTGOMERY COUNTY, OHIO RECORDER'S OFFICE.

PRIOR DEED REFERENCE: Instrument No. 2013-00079430 of the Montgomery County, Ohio Deed Records.

Executed this 17th day of December, 2014.

QBL

CITY OF MIAMISBURG, OHIO
an Ohio municipal corporation

By: 

Printed Name: KEITH JOHNSON

Title: 12/16/14

STATE OF OHIO, COUNTY OF MONTGOMERY, SS:

The foregoing instrument was acknowledged before me this 17th day of December, 2014, by Keith Johnson, the City Manager of the CITY OF MIAMISBURG, OHIO, an Ohio municipal corporation, on behalf of said municipal corporation.



Leslie J. Karacia
Notary Public

LESLIE J. KARACIA, Notary Public
In and for the State of Ohio
My Commission Expires June 16, 2015

This instrument prepared by:
Shannon L. Costello, Esq.
Coolidge Wall Co., L.P.A.
33 West First Street, Suite 600
Dayton, OH 45402
w:\wdox\client\001969\00603\00715179.docx

EXHIBIT A

Situate in Sections 30 and 36, Town 2, Range 5 M.Rs, City of Miamisburg, Montgomery County, Ohio and being Lot Numbered 8000 of the Mound Advanced Technology Center Record Plan, Section 1, as recorded in Plat Book 222, Page 30 of the Montgomery County, Ohio Records.

Parcel Id. No.: K46 01507 0031

CHICAGO TITLE #38140775
1 S. MAIN STREET, SUITE 330
DAYTON, OHIO 45402
ATTN: FALLON DONOVAN

Bot

File# 2014-00069587

3

LIMITED WARRANTY DEED
(Ohio Statutory Form)

MOUND DEVELOPMENT CORPORATION, an Ohio not-for-profit corporation having an address of 965 Capstone Drive, P.O. Box 232, Miamisburg, Ohio 45343-0232 ("Grantor"), for valuable consideration paid, grants, with limited warranty covenants, to **DYRDEK GROUP, INC.**, a Delaware corporation ("Grantee"), whose tax mailing address is c/o Provident Financial Management, 2850 Ocean Park Blvd, Suite 300, Santa Monica, California 90405, Attn: Deana Santana, the real property described on Exhibit A attached hereto and incorporated herein by reference (referred to in this Deed as the "Property").

Subject to all real estate taxes and assessments due and payable in January, 2015, and thereafter; all legal highways and public rights-of-way; building, zoning and other laws, statutes, ordinances and regulations; easements, covenants, conditions and restrictions of record, including without limitation, those provided in the Affidavit recorded at Deed Microfiche No. 90-616D02, those in Environmental Covenants recorded at Instrument No. 2012-00004722 (as further referenced below), those provided in the Quit Claim Deed from the United States of America to Grantor recorded at Instrument No. 09-011643, and those provided in the Mound Advanced Technology Center Declaration of Covenants and Restrictions recorded at Instrument No. 2012-00084258, all in the records of the Montgomery County, Ohio Recorder's office.

THE INTEREST CONVEYED HEREBY IS SUBJECT TO AN ENVIRONMENTAL COVENANT DATED NOVEMBER 2, 2011, RECORDED IN THE DEED OR OFFICIAL RECORDS OF THE MONTGOMERY COUNTY RECORDER ON JANUARY 24, 2012 IN DEED INSTRUMENT NO. 2012-00004722. THE ENVIRONMENTAL COVENANT CONTAINS THE FOLLOWING ACTIVITY AND USE LIMITATIONS:

Prohibition against residential use and farming activities; prohibition against use of groundwater; prohibition against removal of soil from Mound property.

QBR

Owner or transferee, if applicable, shall notify Ohio EPA within ten (10) days after each conveyance of interest of the Property or any portion thereof. The notice shall include the name, address and telephone number of the Transferee, a copy of the deed or other documentation evidencing the conveyance, and a survey map that shows the boundaries of the property being transferred.

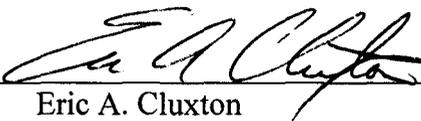
Grantor excepts from the conveyance made by this Deed, and reserves to itself and its successors and assigns forever, a permanent easement on the Property for purposes of access and utilities upon that portion of the Property being fifty (50) feet from the eastern boundary of the Property (this area being referred to as the "Easement Area"). These easements are reserved and created for the purpose of providing pedestrian and/or vehicular ingress and egress to, from and between portions of the surrounding real property held by Grantor or the City of Miamisburg, Ohio and situated within the vicinity of the Property and for the purpose of operating, maintaining, constructing, installing, repairing, replacing and/or removing utility lines, conduits and cables and any replacements thereof and all related equipment and appurtenances thereto. No walls, fences, structures or barriers of any kind and no other impairment of access shall be constructed or maintained on the Easement Area that shall prevent or impair the use of the Easement Area by Grantor. No improvements or structures shall be constructed in the Easement Area that would impair the use of the area for the construction, installation or operation of utilities.

The easements reserved in this Deed shall run with the land and shall be a permanent benefit to the properties held by Grantor and the City of Miamisburg, Ohio as of the date of this Deed and within the vicinity of the Property and a permanent burden to the Property.

PRIOR DEED REFERENCE: Instrument No. 2014-00069586 of the Montgomery County, Ohio Deed Records.

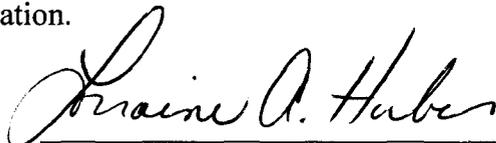
Executed this 16 day of December, 2014.

MOUND DEVELOPMENT CORPORATION

By: 
Eric A. Cluxton
President

STATE OF OHIO, COUNTY OF MONTGOMERY, SS:

The foregoing instrument was acknowledged before me this 16th day of December, 2014, by Eric A. Cluxton, the President of Mound Development Corporation, an Ohio not-for-profit corporation, on behalf of the corporation.


Notary Public

This instrument prepared by:
Shannon L. Costello, Esq.
Coolidge Wall Co., L.P.A.
33 West First Street, Suite 600
Dayton, OH 45402
W:\Wdcox\Client\001969\00637\00724884.Docx

LORRAINE A. HUBER, Notary Public
In and for the State of Ohio
My Commission Expires May 22, 2016

EXHIBIT A

Situate in Sections 30 and 36, Town 2, Range 5 M.Rs, City of Miamisburg, Montgomery County, Ohio and being Lot Numbered 8000 of the Mound Advanced Technology Center Record Plan, Section 1, as recorded in Plat Book 222, Page 30 of the Montgomery County, Ohio Records.

Parcel Id. No.: K46 01507 0031

CHICAGO TITLE # 38140775 bot
1 S. MAIN STREET, SUITE 330
DAYTON, OHIO 45402
ATTN: FALLON DONOVAN

Massie, Joyce (CONTR)

From: Frank Bullock <FBullock@mound.com>
Sent: Monday, March 23, 2015 9:56 AM
To: Massie, Joyce (CONTR)
Subject: FW: Mound Drawings
Attachments: Mound Advanced Tech Center.pdf; Mound Advanced Tech Center 2.pdf; Mound Advanced Tech Center 3.pdf

Attached is the replat that we did with the county. I had to get them PDF'ed.

Frank



Before printing this e-mail, please consider the environment

KAL6-15-7-26, 33, 34, 35 & 36 All

TRANSFERRED
15 FEB 20 AM 9:32
KARL L. KEITH
AUDITOR

225 P19

Type: DEE
Kind: PLAT
Recorded: 02/20/2015 09:43:07 AM
Fee Amt: \$259.20 Page 1 of 3
Montgomery County, OH
Willis E. Blackshear County Recorder
File# 2015-0008913

DESCRIPTION:
THE WITHIN PLAT IS A REPLAT OF 139.7546 ACRES, BEING ALL OF LOTS 7995, 8002, 8003, 8004, & 8005 OF THE CONSECUTIVE LOT NUMBERS OF THE CITY OF MIAMISBURG, AKA MOUND ADVANCED TECHNOLOGY CENTER, SECTION 1, AS RECORDED IN BOOK 222, PAGE 30 OF THE PLAT RECORDS OF MONTGOMERY COUNTY, AND LOCATED IN SECTION 25, TOWN 1, RANGE 6 M.Rs. AND SECTIONS 30, 35, AND 36, TOWN 2, RANGE 5 M.Rs., BEING LOTS 7995, 8002, 8003 & 8005 AS CONVEYED TO CITY OF MIAMISBURG, OHIO BY IR# DEED 13-079430, AND LOT 8004 AS CONVEYED TO THE MOUND COMMUNITY IMPROVEMENT CORPORATION NKA MOUND DEVELOPMENT CORPORATION BY IR# 09-011643 OF THE DEED RECORDS OF MONTGOMERY COUNTY, CONTAINING 139.7358 ACRES OF WHICH 139.6551 ACRES ARE IN LOTS AND 0.0807 ACRES IN STREETS.

RECORD PLAN MOUND ADVANCED TECHNOLOGY CENTER SECTION 1-A

BEING A REPLAT OF LOTS 7995, 8002, 8003, 8004, & 8005 OF CONSECUTIVE LOT NUMBERS OF THE CITY OF MIAMISBURG AKA MOUND ADVANCED TECHNOLOGY CENTER SECTION 1, PLAT BOOK 222, PAGE 30 SECTION 25, TOWN 1, RANGE 6 M.Rs. SECTIONS 30, 35, & 36, TOWN 2, RANGE 5 M.Rs. MONTGOMERY COUNTY, OHIO 139.6551 ACRES IN LOTS 0.0807 ACRES IN STREETS 139.7358 ACRES TOTAL NOVEMBER 2014

CERTIFICATION:
THE MEASUREMENTS ARE CERTIFIED CORRECT AND IRON PINS WILL BE SET AS SHOWN, CURVE DISTANCES ARE MEASURED ON THE ARC.

Raymond B Mefford
RAYMOND B MEFFORD, PS#7367 DATE 2/19/15



DEDICATION:
WE THE UNDERSIGNED BEING ALL THE OWNERS AND LEINHOLDERS OF THE LAND BEING SUBDIVIDED DO HEREBY ACKNOWLEDGE THE MAKING AND SIGNING OF THIS PLAT TO BE OUR VOLUNTARY ACT AND DEED, AND DO HEREBY DEDICATE THE STREETS AND RESERVE THE EASEMENTS AS SHOWN WITHIN THE PLAT TO THE PUBLIC USE FOREVER.

PREPARED BY:
JUDGE ENGINEERING CO.
1201 E. DAVID ROAD
KETTERING, OHIO 45429
PHONE (937)294-1441 FAX (937)294-6498

OWNER: CITY OF MIAMISBURG, OHIO

W. Z. Miller
WITNESS

Kim Combs
WITNESS

Keith Johnson
KEITH JOHNSON, CITY MANAGER

STATE OF OHIO, COUNTY OF MONTGOMERY S.S.

BE IT REMEMBERED, THAT ON THIS 16th DAY OF February, 2015 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY CAME KEITH JOHNSON, CITY MANAGER MIAMISBURG, OHIO KNOWN AND ACKNOWLEDGED THE SIGNING AND EXECUTION OF THE WITHIN PLAT TO BE HIS VOLUNTARY ACT AND DEED.

IN TESTIMONY THEREOF, I HAVE HEREUNTO SET MY HAND AND NOTARIAL SEAL ON THE DAY AND DATE WRITTEN ABOVE

Leslie J. Karacia
NOTARY PUBLIC
MY COMMISSION EXPIRES 6/16/15



LESLIE J. KARACIA, Notary Public
In and for the State of Ohio
My Commission Expires June 16, 2015

OWNER: MOUND COMMUNITY IMPROVEMENT CORPORATION
NKA MOUND DEVELOPMENT CORPORATION
** MIAMISBURG

Raymond B Mefford
WITNESS

Eric Cluxton
WITNESS

Eric Cluxton
ERIC CLUXTON, PRESIDENT

STATE OF OHIO, COUNTY OF MONTGOMERY S.S.

BE IT REMEMBERED, THAT ON THIS 15th DAY OF February, 2015 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY CAME ERIC CLUXTON, PRESIDENT MOUND COMMUNITY IMPROVEMENT CORPORATION, DBA: MOUND DEVELOPMENT CORPORATION KNOWN AND ACKNOWLEDGED THE SIGNING AND EXECUTION OF THE WITHIN PLAT TO BE HIS VOLUNTARY ACT AND DEED.

IN TESTIMONY THEREOF, I HAVE HEREUNTO SET MY HAND AND NOTARIAL SEAL ON THE DAY AND DATE WRITTEN ABOVE

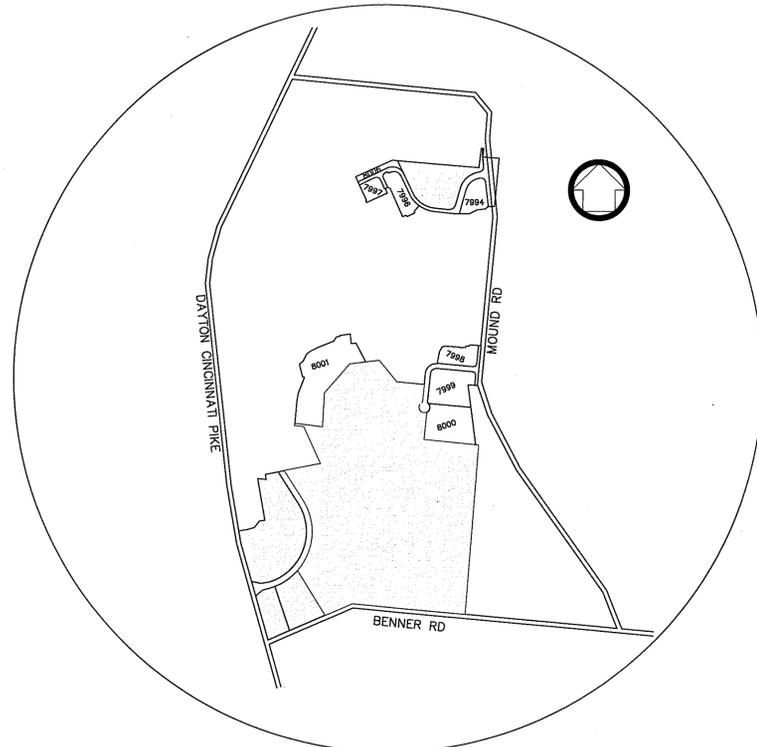
Lorraine A. Huber
NOTARY PUBLIC
MY COMMISSION EXPIRES 5/22/16

LORRAINE A. HUBER, Notary Public
In and for the State of Ohio
My Commission Expires May 22, 2016



PLAT BOOK 225 PAGE:

19



VICINITY MAP
NTS

APPROVAL

APPROVED AND ACCEPTED THIS 15th DAY OF December, 2014 BY THE PLANNING COMMISSION OF THE CITY OF MIAMISBURG, OHIO

Leslie Karacia
SECRETARY
MIAMISBURG, OHIO

APPROVED AND ACCEPTED THIS 16th DAY OF December, 2014 BY THE COUNCIL OF THE CITY OF MIAMISBURG, OHIO

Richard C. Whelan, Jr.
MAYOR
MIAMISBURG, OHIO

AUDITOR
KARL L. KEITH
15 FEB 20 AM 9:32
TRANSFERRED

OWNER'S STATEMENT:

DATE 2/16, 2015

STATE OF OHIO, COUNTY OF MONTGOMERY, S.S. KEITH JOHNSON, IN HIS CAPACITY AS CITY MANAGER MIAMISBURG, OHIO BEING DULY SWORN, SAYS THAT ALL PERSONS AND CORPORATIONS, TO THE BEST OF HIS KNOWLEDGE, INTERESTED IN THIS DEDICATION, EITHER AS OWNERS OR LEINHOLDERS, HAVE UNITED IN ITS EXECUTION

OWNER

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL ON THE DAY AND DATE ABOVE WRITTEN.

Leslie J. Karacia
NOTARY PUBLIC
MY COMMISSION EXPIRES: 6/16/15

LESLIE J. KARACIA, Notary Public
In and for the State of Ohio
My Commission Expires June 16, 2015



LINES OF OCCUPATION WHERE EXISTING AGREE IN GENERAL WITH PROPERTY LINES

PERTINENT DOCUMENTS:
DEED RECORDS, PLATS AND SURVEYS AS SHOWN ON THIS PLAT in and for all MONUMENTATION SET/FOUND IN GOOD CONDITION UNLESS OTHERWISE NOTED

SUPERIMPOSED AREA NOTE:

ALL OF THE LANDS OF THE DEDICATORS FROM WHICH THIS PLAT IS DRAWN

COVENANTS AND RESTRICTIONS:

- LOTS SHOWN ON THIS PLAT SHALL BE SUBJECT TO AND GOVERNED BY ALL APPLICABLE ZONING REQUIREMENTS OF THE CITY OF MIAMISBURG, OHIO
- MOUND ADVANCED TECHNOLOGY CENTER DECLARATION OF COVENANTS AND RESTRICTIONS DATED DECEMBER 14, 2012 AND RECORDED AT INSTRUMENT NO. 2012-084258
- THE PROPERTY THAT IS THE SUBJECT OF THIS PLAT WAS PREVIOUSLY OWNED BY THE UNITED STATES GOVERNMENT. THE DEEDS TRANSFERRING THE PROPERTY FROM THE UNITED STATES GOVERNMENT, THROUGH ITS AGENCY THE DEPARTMENT OF ENERGY, CREATED COVENANTS AND RESTRICTIONS THAT AFFECT THE USE OF THE PROPERTY BY ALL FUTURE OWNERS, TENANTS, EMPLOYEES AND VISITORS. THESE COVENANTS AND RESTRICTIONS CAN BE VIEWED IN THE DEEDS WHICH ARE RECORDED IN THE MONTGOMERY COUNTY, OHIO RECORDER'S OFFICE. THESE DEEDS ARE RECORDED AT THE FOLLOWING LOCATIONS AND ON THE FOLLOWING DATES:

- DEED RECORDED DECEMBER 21, 1999 AT DEED 99-141468
- DEED RECORDED DECEMBER 21, 1999 AT DEED 99-141469
- DEED RECORDED OCTOBER 17, 2002 AT DEED 02-128007
- DEED RECORDED OCTOBER 18, 2002 AT DEED 02-128206
- DEED RECORDED NOVEMBER 22, 2002 AT DEED 02-146503
- DEED RECORDED NOVEMBER 22, 2002 AT DEED 02-146504
- DEED RECORDED FEBRUARY 24, 2009 AT DEED 09-116432
- DEED RECORDED DECEMBER 19, 2012 AT DEED 12-083743

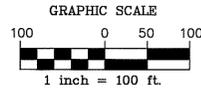
THE RESPECTIVE COVENANTS AND RESTRICTIONS SET FORTH IN THESE DEEDS RUN WITH THE RESPECTIVE LANDS TRANSFERRED THEREBY AND BIND ALL HEIRS, SUCCESSORS AND ASSIGNS

SHEET 1 of 3

APPROVED FOR DESCRIPTION
Leslie Karacia
MONTGOMERY COUNTY ENGINEER
14-0146
JOB NO.
02/17/2015
DATE
Raymond B Mefford
CHECKED BY



BEARINGS BASED ON THE CENTERLINE
OF BENNER RD. PER IR#DEED 09-011643
N 84°29'45" W



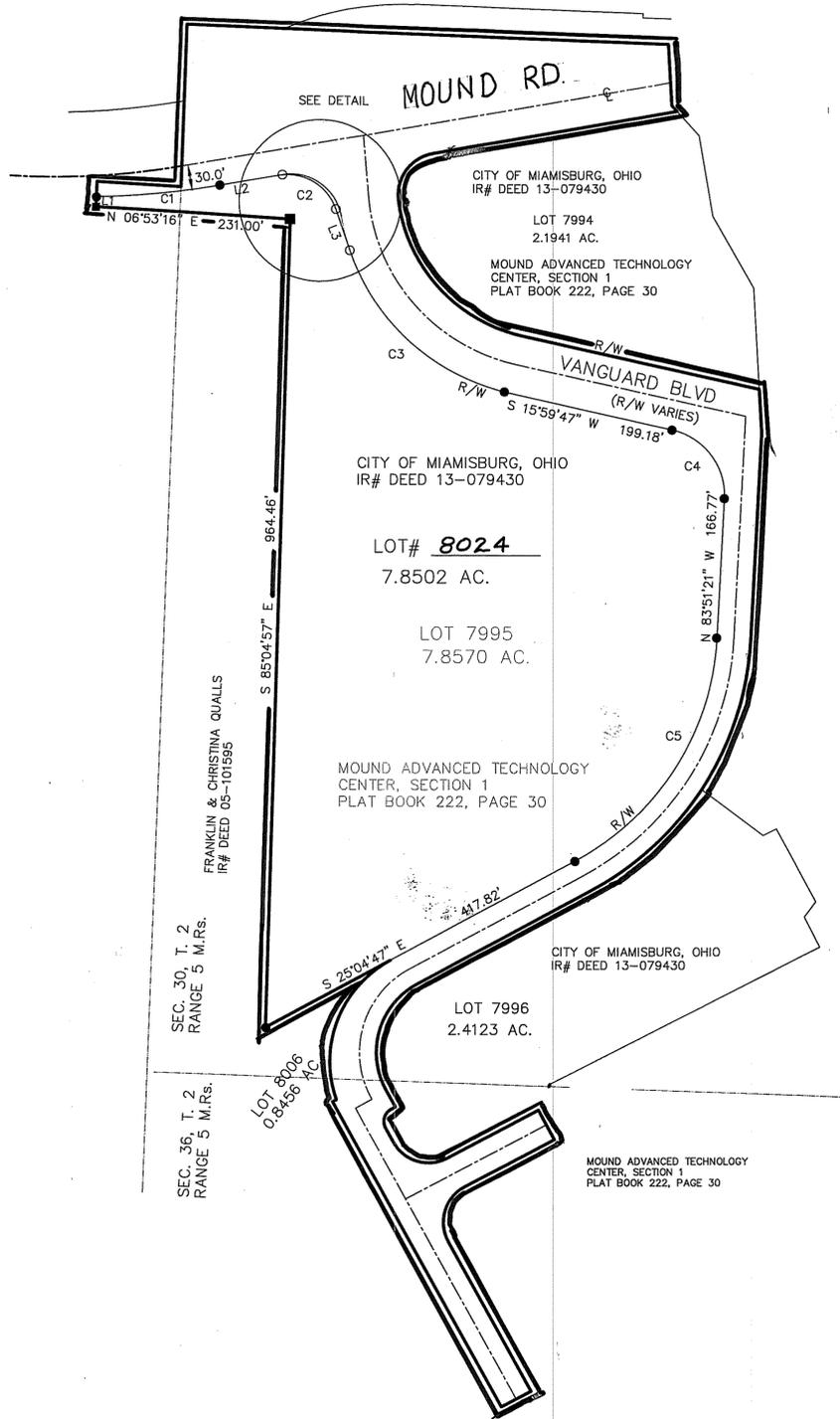
RECORD PLAN
**MOUND ADVANCED
TECHNOLOGY CENTER
SECTION 1-A**

BEING A REPLAT OF LOTS 7995, 8002, 8003, 8004, & 8005
OF CONSECUTIVE LOT NUMBERS OF THE CITY OF MIAMISBURG
AKA MOUND ADVANCED TECHNOLOGY CENTER
SECTION 1, PLAT BOOK 222, PAGE 30
SECTION 25, TOWN 1, RANGE 6 M.Rs.
SECTIONS 30, 35, & 36, TOWN 2, RANGE 5 M.Rs.
MONTGOMERY COUNTY, OHIO
139.6551 ACRES IN LOTS
0.0807 ACRES IN STREETS
139.7358 ACRES TOTAL
NOVEMBER 2014

TRANSFERRED
15 FEB 20 AM 9:33
KARL L. KEITH
AUDITOR

225 P 19A

Type: DEE
Kind: PLAT
Recorded: 02/20/2015 09:43:07 AM
Fee Amt: \$229.20 Page 1 of 3
Montgomery County, OH
Willis E. Blackshear County Recorder
File# 2015-0008913

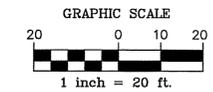
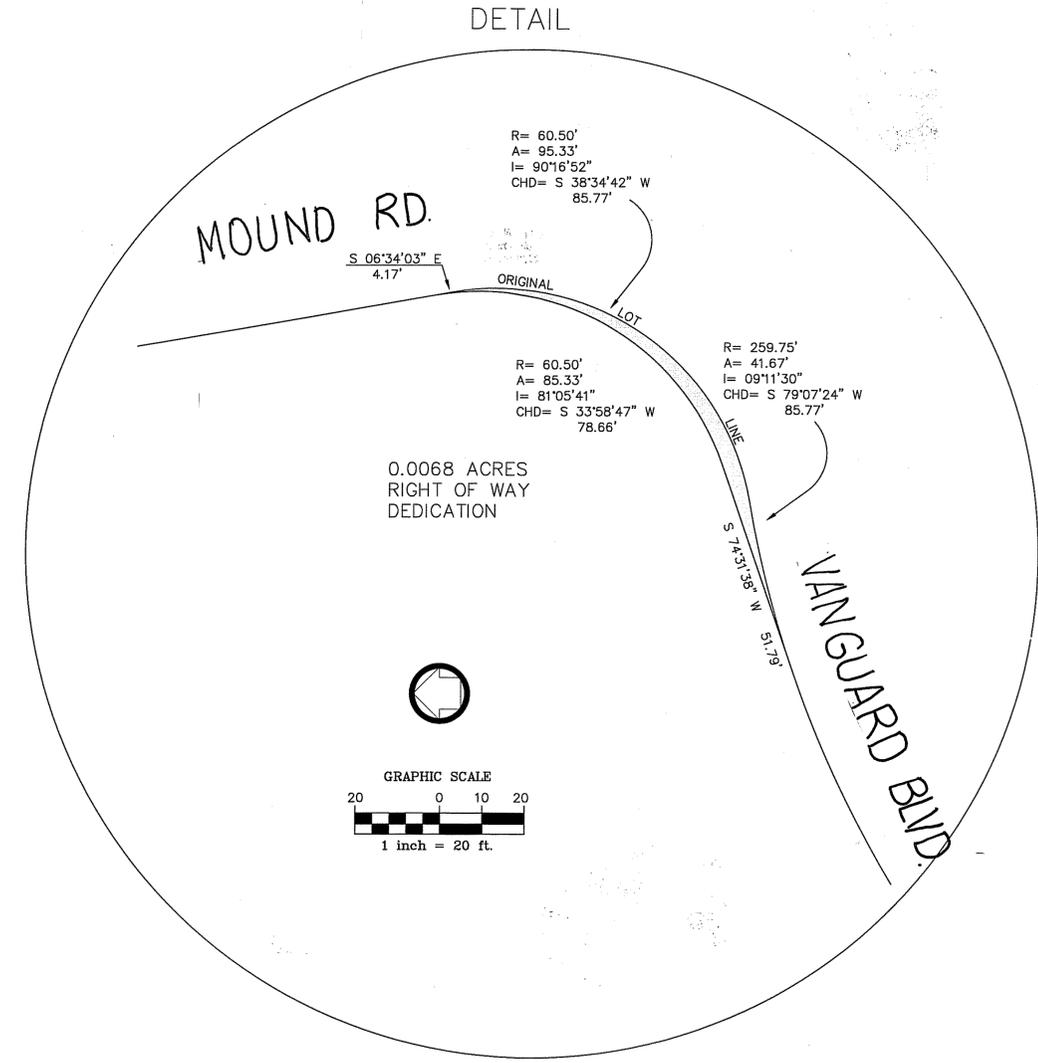


LINE TABLE

LINE	BEARING	DIST
L1	S 84°38'35" E	11.77'
L2	S 06°34'03" E	71.52'
L3	S 74°31'38" W	51.79'

CURVE TABLE

CURVE	RADIUS	DISTANCE	DELTA	CHORD
C1	923.37'	147.17'	09°07'54"	S 02°00'06" E 147.01'
C2	60.50'	85.63'	81°05'41"	S 33°58'47" W 78.66'
C3	259.75'	265.35'	58°31'52"	S 45°15'43" W 253.96'
C4	80.00'	111.91'	80°08'52"	S 56°04'13" W 103.00'
C5	320.67'	328.96'	58°46'34"	N 54°28'04" W 314.72'



INCHES 1 2 3
PLAT BOOK 225 PAGE:

19A

TRANSFERRED
15 FEB 20 AM 9:33
KARL L. KEITH
AUDITOR

PREPARED BY:

JUDGE ENGINEERING CO.
1201 E. DAVID ROAD
KETTERING, OHIO 45429
PHONE (937)294-1441 FAX (937)294-6498

SHEET 2 of 3

RECORD PLAN
**MOUND ADVANCED
 TECHNOLOGY CENTER
 SECTION 1-A**

BEING A REPLAT OF LOTS 7995, 8002, 8003, 8004, & 8005
 OF CONSECUTIVE LOT NUMBERS OF THE CITY OF MIAMISBURG
 AKA MOUND ADVANCED TECHNOLOGY CENTER
 SECTION 1, PLAT BOOK 222, PAGE 30
 SECTION 25, TOWN 1, RANGE 6 M.Rs.
 SECTIONS 30, 35, & 36, TOWN 2, RANGE 5 M.Rs.
 MONTGOMERY COUNTY, OHIO
 139.6551 ACRES IN LOTS
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 139.7358 ACRES TOTAL
 NOVEMBER 2014

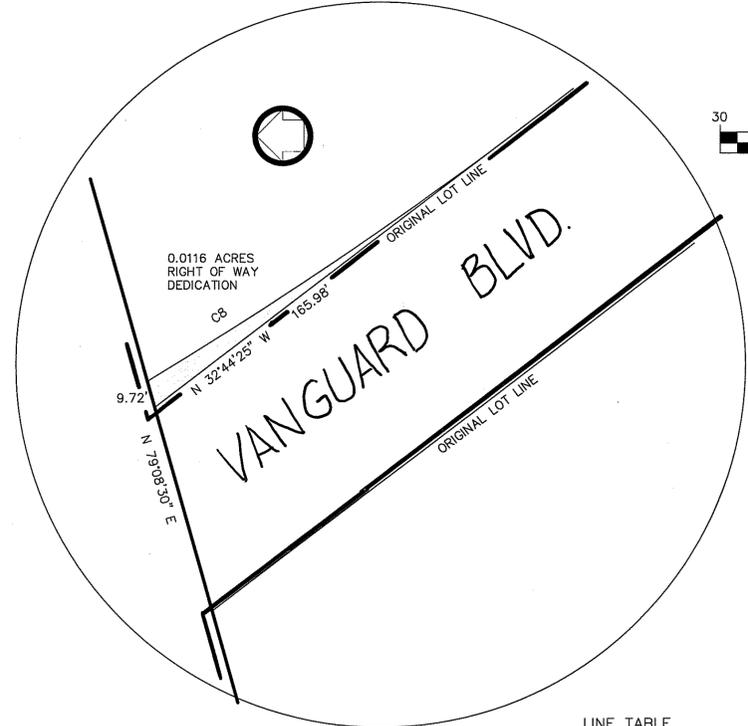
TRANSFERRED
 15 FEB 20 AM 9:33
 KARL L. KEITH
 AUDITOR

225P19B

Type: DEE
 Kind: PLAT
 Recorded: 02/20/2015 09:43:07 AM
 Fee Amt: \$259.20 Page 1 of 3
 Montgomery County, OH
 Willis E. Blackshear County Recorder
 File# 2015-00008913

BEARINGS BASED ON THE CENTERLINE
 OF BENNER RD. PER IR#DEED 09-011643
 N 84°29'45" W

DETAIL

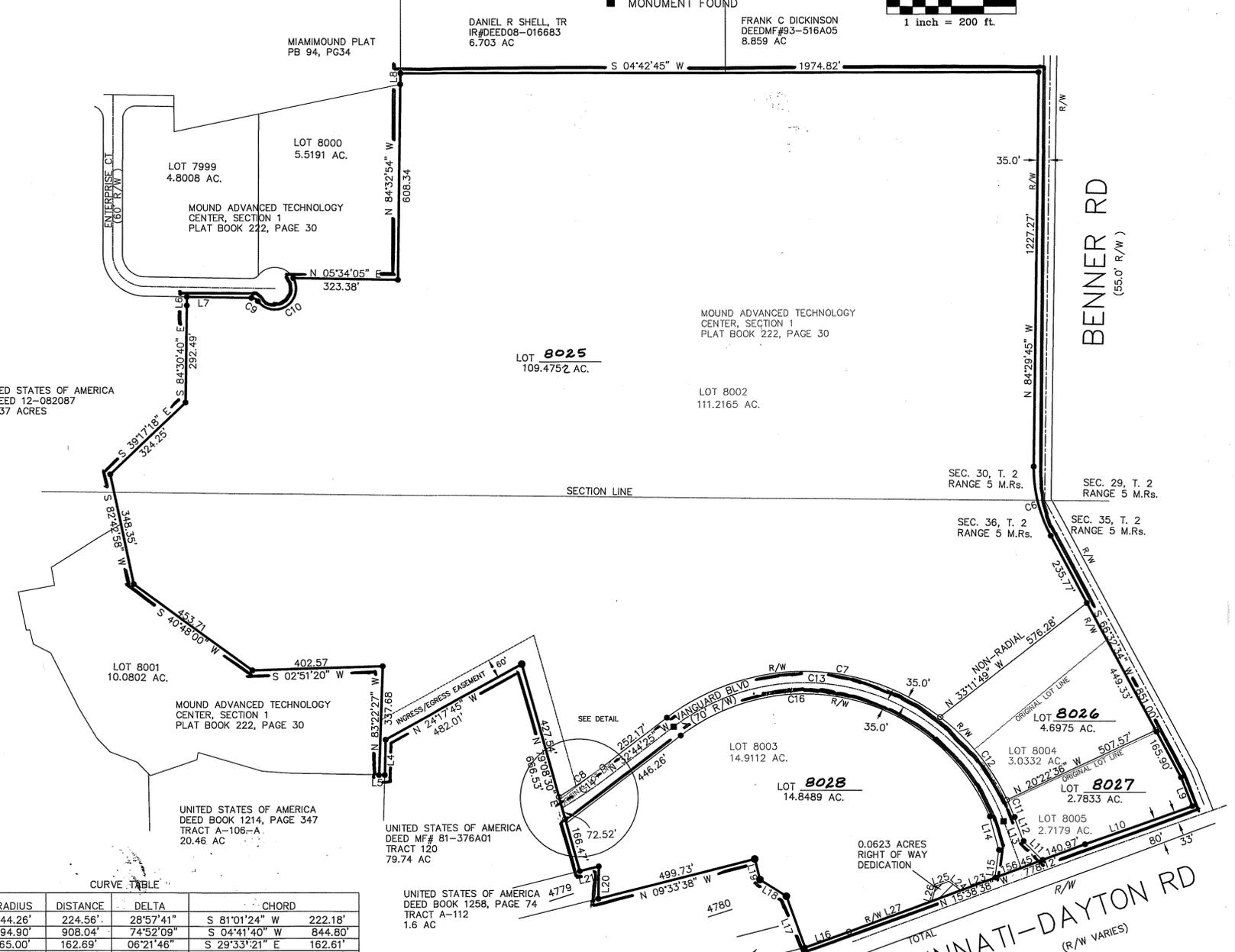


LINE TABLE

LINE	BEARING	DIST
L4	N 83°58'45" W	109.56'
L5	N 05°38'00" E	17.45'
L6	S 84°26'02" E	35.50'
L7	S 05°34'05" W	199.64'
L8	S 83°59'35" E	34.07'
L9	S 73°18'03" W	95.81'
L10	N 14°40'53" W	351.94'
L11	N 49°26'04" E	82.96'
L12	N 74°22'30" E	79.56'
L13	N 74°00'30" E	154.80'
L14	S 79°38'33" W	107.41'
L15	N 77°26'21" W	86.71'
L16	N 15°01'37" W	143.86'
L17	N 74°56'41" E	170.32'
L18	N 37°22'23" E	95.69'
L19	N 80°25'45" E	65.98'
L20	S 84°25'01" E	100.51'
L21	N 09°26'26" W	60.47'
L22	N 84°30'00" E	56.66'
L23	N 15°38'38" W	112.57'
L24	N 41°42'54" E	46.34'
L25	N 15°37'26" W	43.00'
L26	N 69°56'51" W	48.07'
L27	N 15°38'38" W	274.02'

CURVE TABLE

CURVE	RADIUS	DISTANCE	DELTA	CHORD
C6	444.26'	224.56'	28°57'41"	S 81°01'24" W 222.18'
C7	694.90'	908.04'	74°52'09"	S 04°41'40" W 844.80'
C8	1465.00'	162.69'	06°21'46"	S 29°33'21" E 162.61'
C9	25.00'	22.94'	52°34'29"	S 31°51'19" W 22.14'
C10	65.50'	197.57'	172°49'37"	S 28°16'17" E 130.74'
C11	694.90'	57.63'	04°45'06"	S 71°59'57" W 57.61'
C12	694.90'	333.46'	27°29'40"	S 55°52'34" W 330.27'
C13	659.90'	1233.69'	107°06'55"	S 20°49'03" W 1061.72'
C14	1500.00'	176.29'	06°44'01"	S 29°22'24" E 176.19'
C15	1535.00'	189.86'	07°05'13"	S 29°11'48" E 189.74'
C16	624.90'	1139.69'	104°29'46"	S 19°30'28" W 988.18'



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 PLAT BOOK 225 PAGE:

19B

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Appendix F

Aerial Photo with ROD Parcel Boundaries, March 2011

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Figure F-1. Mound Site March 2011 Aerial Photo Showing ROD Parcel Boundaries

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