

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

June 2019



U.S. DEPARTMENT OF
ENERGY

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Abbreviations

CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CRP	Comprehensive Reuse Plan
DOE	U.S. Department of Energy
EM	Office of Environmental Management
EPA	U.S. Environmental Protection Agency
ES	Environmental Summary
FYR	five-year review
IC	institutional control
LM	Office of Legacy Management
LMS	Legacy Management Support
LTS&M Plan	Long-Term Surveillance and Maintenance Plan
LW	limited warranty
MDC	Mound Development Corporation (formerly MMCIC)
MMCIC	Miamisburg Mound Community Improvement Corporation
ODH	Ohio Department of Health
ODNR	Ohio Department of Natural Resources
Ohio EPA	Ohio Environmental Protection Agency
O&M Plan	Operations and Maintenance Plan
OSE	Operational Support East
OSW	Operational Support West
OU	Operable Unit
PFAS	per- and polyfluoroalkyl substances
QC	quitclaim
RCRA	Resource Conservation and Recovery Act
ROD	Record of Decision

1.0 Introduction

This report documents the U.S. Department of Energy (DOE) Office of Legacy Management (LM) 2019 annual assessment of the effectiveness of sitewide institutional controls (ICs) for the entire Mound, Ohio, Site¹ in Miamisburg for the period from May 1, 2018, to April 30, 2019.

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, protect the integrity of the remedy, or both.

The site has completed all CERCLA Section 120(h), abbreviated as CERCLA 120(h), requirements for property transfer as an industrial- or commercial-use site.

The DOE Office of Environmental Management (EM) remediated the site, and LM is responsible for long-term surveillance and maintenance. The annual IC assessment process and this IC assessment report follow requirements in three LM 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 2015d), hereafter referred to as the Operations and Maintenance Plan (O&M Plan)
- *Long-Term Surveillance and Maintenance Plan for the U.S. Department of Energy Mound, Ohio, Site* (DOE 2015c), hereafter referred to as the Long-Term Surveillance and Maintenance Plan (LTS&M Plan)
- *Community Involvement Plan for the U.S. Department of Energy Mound, Ohio, Site* (DOE 2015b)

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) described in Section 4.0 (Table 1) of this report. The ICs were developed by EM with input from the public; the City of Miamisburg, Ohio (City); 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 (QC) or limited warranty (LW) deeds; or (2) activity and use limitations in the Parcel 9 Environmental Covenant (DOE 2012a) and the lease agreement between LM and MDC for the LM-owned areas. Additional details are provided in Sections 9.3 and 9.4.

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

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.

year. The groundwater monitoring information for Operable Unit 1 (OU-1) in Parcel 9 is included in LM Environmental Restoration (ER) monthly reports and in a separate annual report provided to the regulators.

In April 2016, Ohio EPA's Resource Conservation and Recovery Act (RCRA) organization recorded its decision to not continue a separate IC inspection of the former Burn Area at the Mound site, as documented in the letter in Appendix A. Ohio EPA advised LM it will rely on the LM annual IC assessment to verify compliance with the RCRA ICs, which are the same as the CERCLA ICs for that area of the Mound site. LM includes the current Ohio EPA RCRA program supervisor in the distribution list for this annual CERCLA IC assessment report.

The 2019 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. There were no recommendations from this assessment.

2.0 Period of Review

This annual assessment covers the period from May 1, 2018, to April 30, 2019.

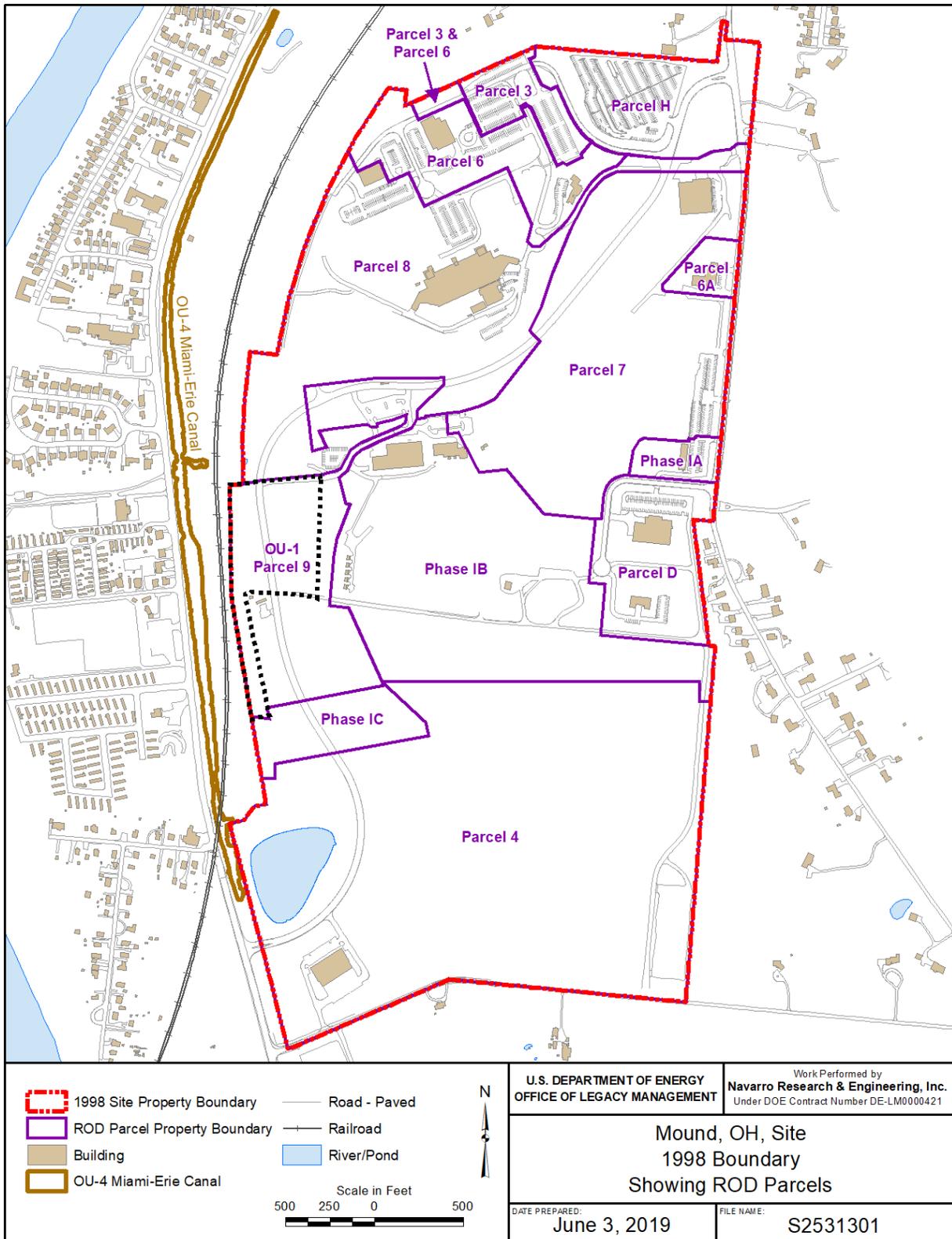
3.0 Scope of Assessment

The ICs cover the entire area within the 1998 Mound Plant property boundary outlined in red in Figure 1, which is the official property description based on an actual field survey of the described land conducted in May 1982. The onsite ROD parcels are outlined in purple.

The annual IC assessments do not include the offsite OU-4 Miami-Erie Canal area west of the site outlined in gold in Figure 1, because this area was remediated and free released with no use restrictions or ICs.

Figure 2 is a February 2016 aerial photo showing the entire site looking north. Appendix F contains a March 2016 legal-size aerial photo showing the ROD boundaries. Aerial photos are normally taken during each CERCLA five-year review (FYR). The next FYR will be in 2021.

LM submits the annual IC assessment report to EPA and Ohio EPA no later than June 13 of each year. All annual assessment reports are available on the LM Mound webpage (<https://www.lm.doe.gov/land/sites/oh/mound/mound.htm>).



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Figure 1. 1998 Mound Plant Property Showing the ROD Parcels



Figure 2. Mound Site Looking North (February 2016)

4.0 CERCLA Remedy Documents

Table 1, taken from the O&M Plan, lists the eight Mound site RODs with the ROD and ES titles and their approval dates. The RODs define the CERCLA remedies including the sitewide ICs, Parcel 6, 7, and 8 ROD includes special ICs specific to the former Technical [T] Building. The ESs document that the parcel meets the requirements of CERCLA 120(h) for property transfer. Parcel 9 is still owned by LM; the Environmental Covenant is recorded in Montgomery County, Ohio, real estate records.

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, Mound Plant, Miamisburg, Ohio, Final (DOE 1999c)</i>	February 1999
	<i>CERCLA 120(h) Summary Notice of Hazardous Substances, Release Block D, Mound Plant, Miamisburg, Ohio, Final (DOE 1999a)</i>	February 1999
H	<i>Record of Decision for Release Block H, Mound Plant, Miamisburg, Ohio, Final (DOE 1999d)</i>	June 1999
	<i>CERCLA 120(h) Summary Notice of Hazardous Substances, Release Block H, Mound Plant, Miamisburg, Ohio, Final (DOE 1999b)</i>	July 1999
3	<i>Parcel 3 Record of Decision, Mound Plant, Miamisburg, Ohio, Final (DOE 2001b)</i>	September 2001
	<i>Parcel 3 Environmental Summary, CERCLA 120(h) Summary Notice of Hazardous Substances, Mound Plant, Miamisburg, Ohio, Final (DOE 2001a)</i>	September 2001
4	<i>Parcel 4 Record of Decision, Mound Plant, Miamisburg, Ohio, Final (DOE 2001d)</i>	February 2001
	<i>Parcel 4 Environmental Summary, CERCLA 120(h) Summary Notice of Hazardous Substances, Mound Plant, Miamisburg, Ohio, Final (DOE 2001c)</i>	March 2001
6, 7, 8 (includes former Parcel 6A)	<i>Parcels 6, 7, and 8 Record of Decision, Miamisburg Closure Project, Miamisburg, Ohio, Final (DOE 2009a)</i>	August 2009
	<i>Parcels 6, 7, and 8 Environmental Summary, CERCLA 120(h) Summary Notice of Hazardous Substances, Final (DOE 2010)</i>	August 2010
9 (OU-1 and expanded area)	<i>Operable Unit 1 Record of Decision, Final (DOE 1995)</i>	June 1995
	<i>Parcel 9 Environmental Summary, CERCLA 120(h) Summary Notice of Hazardous Substances, Final (DOE 2011b)</i>	August 2011
	<i>Amendment of the Operable Unit 1 Record of Decision, U.S. Department of Energy, Mound Closure Project, Final (DOE 2011a)</i>	August 2011
	<i>Environmental Covenant, Parcel 9, (DOE 2012a) (Recorded as Special Instrument Deed 2012-00004722 with Montgomery County Ohio)</i>	January 2012
Phase I (A, B, C)	<i>Phase I Record of Decision, Miamisburg Closure Project, Final (DOE 2003b)</i>	July 2003
	<i>Phase I Environmental Summary, CERCLA 120(h) Summary Notice of Hazardous Substances, Miamisburg Closure Project, Final (DOE 2003a)</i>	December 2003
OU-4	<i>Miami-Erie Canal Record of Decision, Miamisburg Closure Project, Final, Revision 0 (DOE 2004)</i>	September 2004
	OU-4, located on City of Miamisburg property, was remediated to an unlimited use end state. No ES was required or issued.	

Table 2 summarizes the final ROD parcel identifications (ID numbers, dates, remedies, legal instruments, and IC objectives).

As former Mound site property transfers to new owners, the site is divided into different real estate lot configurations, and these new lots overlap ROD parcel boundaries. Nonetheless, the ROD parcel boundaries are still relevant because those boundaries identify which ROD governs that area of the site, regardless of new property lines.

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

Parcel	Former ID or other names	ROD Date	Remedy	Objectives of ICs	Instrument
D	Release Block D	1999	ICs	Prohibit the removal of soil. Prohibit the use of groundwater. Restrict land use to industrial/commercial only.	QC deed EM to MDC DEED-09-011643 This deed replaced existing deeds for Parcels 3, 4, D, H that had been previously transferred and it combined them with Phase I (A, B, C) parcel deed when that parcel transferred in 2009.
H	Release Block H	1999	ICs	Prohibit the removal of soil. Prohibit the use of groundwater. Restrict land use to industrial/commercial only.	
3	None	2001	ICs	Prohibit the removal of soil. Prohibit the use of groundwater. Restrict land use to industrial/commercial only.	
4	South property	2001	ICs	Prohibit the removal of soil. Prohibit the use of groundwater. Restrict land use to industrial/commercial only.	
Phase 1	A B C	2003	ICs and MNA	Prohibit the removal of soil. Prohibit the use of groundwater. Restrict land use to industrial/commercial only.	
6 and 6A	Parcels 6, 7, and 8	2010	ICs and MNA	Prohibit the removal of soil. Prohibit the use of groundwater. Restrict land use to industrial/commercial only. Prohibit the removal of concrete floor material in specified rooms of T Building. Prohibit the penetration of concrete floor material in specified rooms of T Building.	LM executed and MDC accepted a QC deed for Parcels 6, 7, and 8. This QC deed is not yet recorded at Montgomery county. LM issued individual QC deeds to MDC for: <ul style="list-style-type: none"> • Building 126: 12-00083743 • Building 45: 17-00045599 • Building 61: 17-00055321 • Section 3 containing Buildings OSW and OSE: 18-00006246 • Section 4 containing T Building – 18-00064591
7					
8					
9	OU-1	1995 and 2011 amend.	ICs; collection and treatment of contaminated groundwater and disposal of treated water; long-term groundwater monitoring	Prohibit the removal of soil. Prohibit the use of groundwater. Restrict land use to industrial/commercial only.	LM continues to lease Parcel 9 to MDC under Amendment Number 25 to the General Purpose Lease, signed October 2, 2017. Lease is on a month-to-month basis. Environmental Covenant: EM filed as Special Instrument (Deed) 2012-00004722 on January 24, 2012. Although the county filing referenced the entire original Mound site boundary lots, this EC only applies to Parcel 9.
OU-4	Miami-Erie Canal	2004	No action	Not applicable	None required

Abbreviations:

MNA = monitored natural attenuation; OSE = Operational Support East; OSW = Operational Support West

Section 9.4 and Appendix B provide details on Montgomery County property records, current property ownership status, and other agreements relating to property ownership.

5.0 Institutional Controls

5.1 Overview

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.

EM remediated the Mound site property to EPA's risk-based standards for industrial or commercial use. Because the site is not approved for unlimited use, ICs were imposed as part of the CERCLA remedy defined in each ROD listed in Table 1. The Mound ICs were developed with input from the public, the City of Miamisburg, regulators, and MDC.

The Mound site ICs run with the land in the form of (1) restrictions and covenants in the QC or LW deeds or (2) activity, and use limitations in the Parcel 9 Environmental Covenant and the LM/MDC lease agreement. The QC deeds and the Environmental Covenant are recorded with Montgomery County, Ohio, so that all future property owners will know about the deed restrictions. The ownership status is detailed in Section 9.4.2.

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 Tanks, and Resource Conservation and Recovery Act Cleanups* (EPA 2005).

5.2 Mound Site ICs

There are four (4) sitewide ICs and two (2) building-specific ICs. Those ICs:

1. Prohibit the removal of soil from within the original DOE Mound site property boundaries without prior written approval from EPA, Ohio EPA, and ODH. See Section 5.4 for exceptions.
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. Maintain industrial or commercial land use and prohibit residential land use. Each parcel ROD identifies the land uses that will not be permitted, but the list is not all-inclusive. For example, 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 multifamily 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.

4. Prohibit the removal of concrete floor material from specified rooms of T Building to offsite locations without prior written approval from EPA, Ohio EPA, and ODH (see Appendix C and Section 5.3.2).
5. Prohibit the penetration of concrete floors in specified rooms of the T Building without prior written approval from EPA, Ohio EPA, and ODH (see Appendix C and Section 5.3.2).

In addition to these ICs, the DOE QC deeds and the Parcel 9 Environmental Covenant (DOE 2012a) allow rights of access to the site for federal and state agencies for sampling monitoring, or remedial actions.

5.3 Mound Site Core Team IC Guidance Documents

5.3.1 General IC Guidance including Soil Removal

Appendix E of this IC assessment report contains an additional Core Team IC guidance document, *IC Guidance Including Soil Removal*, September 12, 2012. This guidance provides additional detail and clarity to the ICs and includes an example form for requesting Regulatory approval of new site activities not generally covered by the ICs.

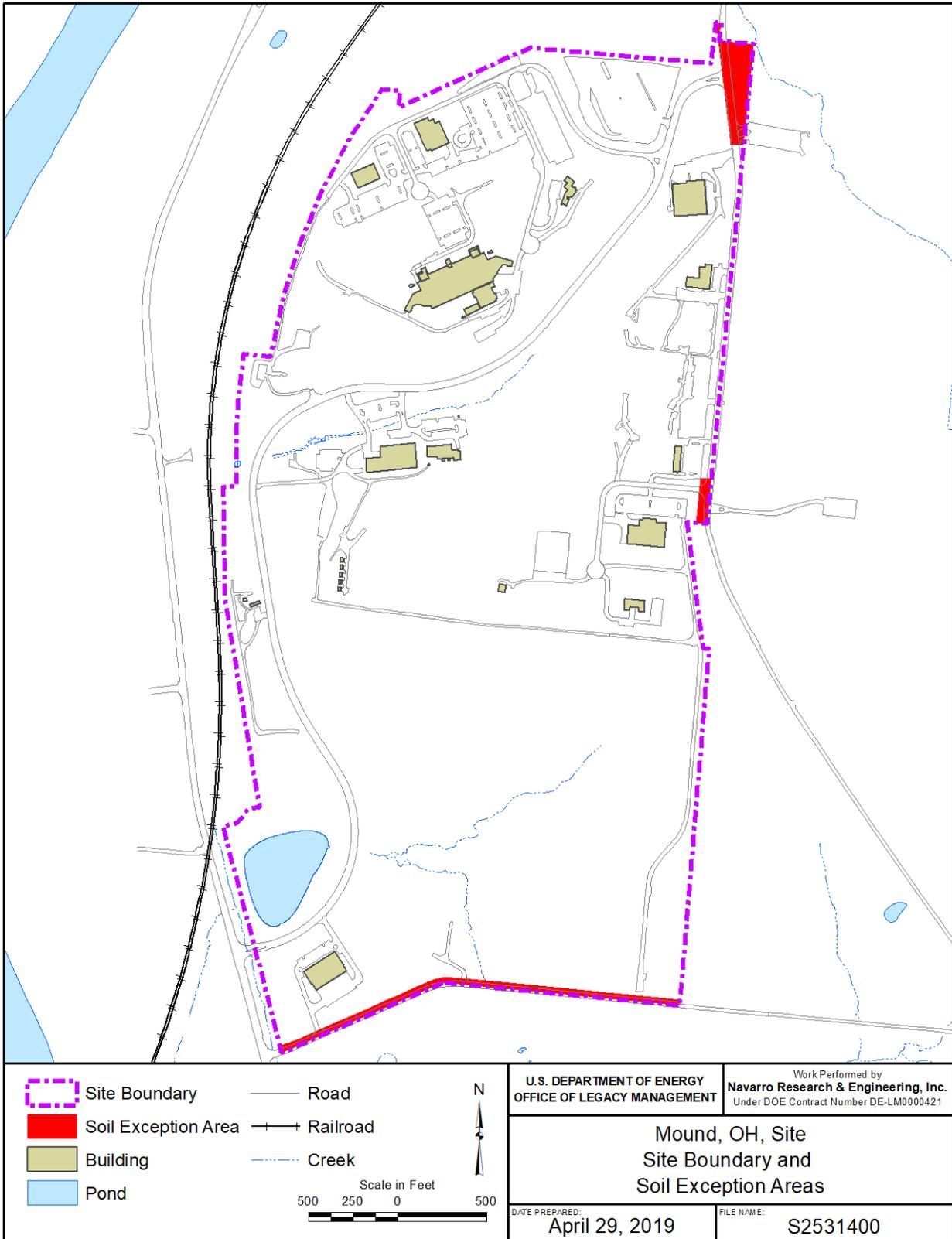
5.3.2 IC Guidance for Special IC Areas in T Building

Appendix C of this IC assessment report provides information regarding the T Building special IC areas, including a drawing (Figure C-1) that clearly shows the special IC areas, and the *T Building Special IC Areas Core Team Agreement and Position Paper* (DOE 2009b). Appendix C includes the 2010 baseline photos of each room covered by the special ICs. Finally, Appendix C contains the final photographs, taken by LM in 2018, of the sealed cracks in the “red” concrete areas.

5.4 Areas Exempted from Soil-Removal Restriction IC

The Mound plant boundary along Mound and Benner Roads extends to the center lines of those roads. The areas shown in red on Figure 3 were exempted from the soil removal IC restriction in the QC deeds. In the figure and in the QC deeds, the term “excepted” is used; this should be considered a synonym of “exempted.” The RODs and QC deeds contain parcel-specific deed-restriction language.

These RODs and other CERCLA administrative record documents are available in the CERCLA Public Reading Room and electronically on the LM Mound website at:
<https://www.lm.doe.gov/land/sites/oh/mound/mound.htm>.



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Figure 3. Mound Site Boundary and Soil-Removal Exception (Exemption) Areas on Mound and Benner Roads

6.0 IC Assessment Process

To evaluate changes in the site that could verify compliance or indicate a potential IC violation, this IC assessment process includes the following:

- Reviews of status of previous IC assessment and CERCLA FYR recommendations
- Physical inspections of the site, including photos of changed conditions related to ICs
- Contacts with the property owners to ensure that they understand the ICs
- Reviews of City of Miamisburg records for onsite properties to examine changed conditions, such as the following:
 - Permits, including building, street opening, and occupancy
 - Planning commission records
 - Zoning modifications
 - Requests for approvals of parking lots and other changes that do not require City permits
- Reviews of any IC-related requests to EPA and Ohio EPA to approve other land uses, soil removal, groundwater use, and penetration and/or removal of concrete in the T Building
- Reviews of Montgomery County, Ohio, property records to determine if property ownership has changed
- Reviews of the Ohio Department of Natural Resources (ODNR) website and the posted well-drilling information to determine if unauthorized wells were drilled onsite
- A site walkdown with representatives from EPA, Ohio EPA, ODH, MDC, and the City of Miamisburg on April 18, 2019
- Meetings with property owners or their representatives to discuss the ICs, to answer any questions, and to verify property owners' compliance with the ICs
- Preparation, publication, and distribution of this report to regulators
- Posting of the report on the LM Mound site webpage
- Publication of a notice in the *Dayton Daily News* that describes the ICs, summarizes results of the annual assessment, and advises that the report is available on the LM webpage

IC assessment inspectors followed the checklist in Appendix A of this report.

7.0 Status of Previous Recommendations

7.1 Annual Assessments

7.1.1 2017 and 2018 Annual Assessments

The 2018 annual assessment, *Annual Assessment of the Effectiveness of Institutional Controls at the Mound, Ohio, Site, Miamisburg, Ohio* (DOE 2018), concluded that the Mound site ICs functioned as designed, adequate oversight mechanisms were in place to identify possible violations, and adequate resources were available to correct or mitigate any problems if a violation were to occur.

There were no recommendations from either the 2017 or the 2018 annual assessment.

7.1.2 Previous Annual Assessments

The status of recommendations from the 2015 and 2016 annual assessments is detailed in Table 3.

Table 3. Status of Issues/Recommendations from Previous IC Assessments

Origin	Issue/ Recommendation	Responsible	Corrected or Current Status
2015 Annual IC Assessment Report (DOE 2015a)	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.	Core Team	Completed. City of Miamisburg has created and the City Council has approved a special zoning district, MB-1, to control land use at Mound Business Park. This should become effective some time in 2019 or early 2020.
2016 Annual IC Assessment Report (DOE 2016a)	Revise the legal descriptions for City-owned parcels K46 01507 0041 and K46 01507 0042, to define areas that were not part of the original Mound site boundary and are, therefore, not covered by ICs.	LM	Completed. LM will assure that IC assessors understand the location of the Mound site boundaries. The City will not revise legal descriptions.
	Clarify that onsite roadways transferred to the City of Miamisburg remain covered by the site ICs. Consider issuing a City procedure that will ensure any repairs of the roads or adjacent utility corridors within the right-of-way comply with the ICs.	MDC/City	In process. MB-1 described above. LM working with City to add information to street opening and building permits. These City controls add extra layers to sitewide IC oversight.
	Clarify that the two areas in Phase I and BOI (now GoKeyless) Tract 2 to the center line of Mound Road are exempted from the soil-removal IC.	LM/EPA	In process. LM provided a draft release form to regulators that would add the exception. If regulators concur, LM would record release with the county.

7.2 2016 Fourth CERCLA Five-Year Review

7.2.1 Summary

The annual IC assessments also include a review of the status of previous CERCLA FYR recommendations. The *Fourth Five-Year Review for the Mound, Ohio, Site, Miamisburg, Ohio* (DOE 2016b) determined that the IC remedies for Parcels D, H, 3, and 4 and the IC portion of the remedies for Parcels 6, 7, and 8; Phase I (A, B, and C); and Parcel 9 are functioning as intended and are protective of human health and the environment.

The report also stated that further actions are required regarding evaluation of the potential for complete exposure pathways for both vapor intrusion and per- and poly-fluoroalkyl substances (PFASs) in order for the remedies to be protective in the long term.

7.2.2 Recommendations

There were two recommendations from the 2016 FYR. Both of these recommendations are complete as detailed in Table 4.

Table 4. Status of Issues from 2016 CERCLA Five-Year Review

Origin	Issue/ Recommendation	Responsible	Corrected or Current Status
2016 FYR Report (DOE 2016b)	Vapor Intrusion Assessment: It is recommended that an assessment of current site data be performed to evaluate if possible exposure pathways are or could be present that would result in potential exposure in existing and future buildings and structures at the Mound site as outlined in the Office of Solid Waste and Emergency Response Technical Guide (EPA 2015). The assessment will prioritize areas with existing buildings and may include indoor air quality testing as well as sampling of subsurface vapors in or near existing buildings. If additional work is warranted, this assessment will include a proposal for additional work and associated schedule. If it is determined during this assessment that conditions exist that may pose a health risk to building occupants, the Mound Core Team will be contacted immediately, and a course of action will be developed.	LM	Completed and closed. <i>Vapor Intrusion Assessment: Phase I Preliminary Screening and Conceptual Model for the Mound, Ohio, Site</i> (LMS/MND/S15736) dated March 2019 (DOE 2019). The assessment report was approved by Ohio EPA on April 3, 2019, and by EPA on April 4, 2019.
2016 FYR Report (DOE 2016b)	PFAS Assessment: It is recommended that the results of the PFAS research be presented, along with a written summary, to the Mound Core Team.	LM	Completed. <i>A Summary of the Per- or Polyfluorinated Alkyl Substances Records Search for Indications of Use at the Mound, Ohio, Site</i> (LMS/MND/S15235) dated December 2016 (DOE 2016c). The summary report was approved by EPA on December 4, 2017, and by Ohio EPA on April 14, 2017.

8.0 Physical Inspections

8.1 Overview

LM personnel and Navarro Research and Engineering, Inc. (Navarro), Legacy Management Support (LMS) contractor to LM, conducted preliminary sitewide physical inspections on February 20 and April 1, 2019, and a site walkdown with EPA, Ohio EPA, ODH, MDC, and the City of Miamisburg on April 18, 2019.

Section 8.2 describes the results of the preliminary inspections, and Section 8.3 describes the site walkdown on April 18, 2019. Appendix A contains the completed IC checklist and associated inspection documents.

8.2 Preliminary Inspections

8.2.1 Sitewide

8.2.1.1 Background

Preliminary inspections evaluate the status of previous recommendations; look for violations of ICs, such as soil removal from the boundary of the original Mound Plant site, groundwater well installation, and land use other than industrial or commercial; and review the physical conditions of groundwater monitoring wells and seeps.

8.2.1.2 Inspection Results

There were no observations of noncompliance with the ICs in any ROD parcel for the Mound site. In particular, there was no evidence of unauthorized groundwater well installation, soil removal, or site activities inconsistent with industrial or commercial use within any ROD parcel.

The wells and seeps that support the groundwater remedies appeared to be in good condition.

8.2.2 T Building Special IC Areas

8.2.2.1 Background

The IC assessment inspections only cover the areas within the T Building to which special ICs apply (i.e., survey units (SUs) 1C-06, 1C-07, 1C-08, 1C-09, 1C-10, 1C-11, 1C-12, 1C-15, 1C-16, 1C-21, 1S-10, and SYS-02A/B/C, as shown in Figure C-1). Survey units are shown in red lettering, and room numbers are shown in black lettering.

The special ICs for T Building prohibit (1) the penetration of concrete in the areas covered with red concrete, identified as survey units 1C-10 and 1C-21; and (2) the removal of concrete in other areas, unless there has been prior approval from EPA, Ohio EPA, and ODH.

8.2.2.2 Inspection Results

Summary

No IC noncompliance was observed in T Building. The physical inspections on April 1 and April 18 found no evidence of penetration in the red concrete or removal of concrete in the other special IC areas (see Figures 4 through 11).



Figure 4. Floor in Room T-57 (1C-11)

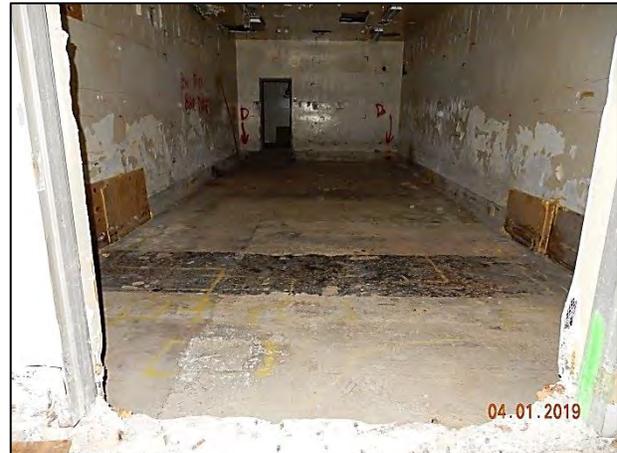


Figure 5. Floor in Room T-58 (1C-12)



Figure 6. Red Concrete Floor in Room T-59 (1C-21)

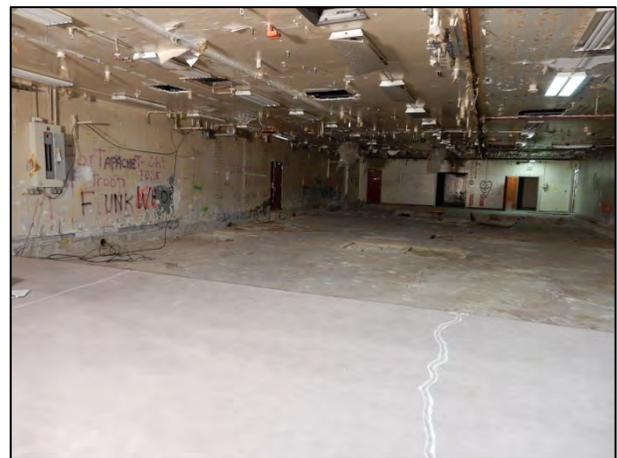


Figure 7. Red Concrete Floor (1C-10) Looking East



Figure 8. Red Concrete Floor SW Corner (1C-10)



Figure 9. Red Concrete Floor NW Corner (1C-10)



Figure 10. Center Bay Area East of Red Concrete (1C-06, 1C-07, 1C-08, and 1C-09)



Figure 11. Center Bay Area East of Red Concrete (1C-06, 1C-07, 1C-08, and 1C-09)

Condition of Sealed Cracks in the Red Concrete in T Building

Inspectors had noted cracks in the red concrete covering floors in the special IC areas of T Building beginning with the first time Parcels 6, 7, and 8 were included in the annual IC assessment in 2010. LM added close-up photographs of nine representative areas containing cracks in the 2012 annual IC assessment.

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

As a best management practice as the building owner, LM filled the cracks in February 2015 with ATC 100, which is a single-component, elastomeric sealant without free isocyanates or solvents (volatile organic compounds). During the IC assessments for 2015, 2016, 2017, 2018,

and 2019, inspectors found that the filler appears to continue sealing the cracks as shown in Figure 8 and Figure 9.

LM discontinued taking close-up photographs of the cracks in 2019, after the building transferred to private ownership. Appendix C contains the final photographs of the sealed cracks in areas A-I taken in 2018 and the product specification sheet for the ATC 100 filler. The current T-Building property owner is aware that the annual LM assessment of ICs will include a physical inspection of the special IC areas, regardless of whether addition of new flooring renders physical inspection impossible.

Dry Floors in T Building Special IC Areas

The special IC area floors were dry during the 2019 inspections. While dry floors are not a direct IC requirement, they are addressed in the annual IC assessment because there has been a history of concerns about this issue. After wet floors were observed in 2013 and 2014, and water was observed to have flowed under the red concrete during the 2016 physical inspections, the Core Team recommended that MDC identify and remedy the source of the water and that LM determine if the water had caused migration of fixed contamination from under the red concrete.

MDC identified and corrected the problem, which was a failed sump pump. Navarro conducted scans using handheld radiological detection equipment and collected swipe samples in 2016, and concluded that the radioactive material remains fixed under the red concrete. A copy of the final report is included in Appendix C of this IC assessment report.

8.2.3 General Site Observations and Changed Conditions

8.2.3.1 Signs Near Pond

Inspectors observed different signs that now state “No Trespassing” at the pond (Figure 12 and Figure 13). The pond is used for retaining and detaining storm-water runoff near the southwestern entry to the Mound Business Park property.



Figure 12. Sign Posted Near Bikeway West of Pond in Southwest Area of Mound Site



Figure 13. Sign Posted Near Vanguard Boulevard Beside Pond in Southwest Area of Mound Site

The signs are not an IC. However, they inform the public not to trespass. Fishing in the pond is an example of trespass. Such land use would not be consistent with the ICs: recreational use is in the list of specifically restricted land uses. The Core Team agreed in 2011 on the following position regarding the signage:

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 MDC 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.

Additional discussion on the signage near the pond is included in the guidance document, *Core Team IC Guidance Including Soil Removal*, September 12, 2012, in Appendix D.

8.2.3.2 Other Items Noted During Assessment

There were no observations of site conditions that indicate a violation of the ICs.

8.3 Site Walkdown with Regulators

The site walkdown for the annual IC assessment with the regulators, MDC, and the City occurred on April 18, 2019. Participants in the initial IC assessment presentation and follow-up site walkdown led by Sue Smiley, LM Mound site manager, and Brian Zimmerman, LM alternate Mound site manager, included the following (Figure 14 and Figure 15):

- Sue Smiley, LM, Mound Site Manager
- Brian Zimmerman, LM, Alternate Mound Site Manager
- Anthony Campbell, Ohio EPA, Environmental Specialist II-Site Coordinator
- Eric Cluxton, MDC, President
- Shannon Dettmer, ODH, Senior Health Physicist
- Melissa Lutz, Navarro, Mound site lead
- Joyce Massie, Navarro Project Support (subcontractor)
- David Seely, EPA, Remedial Project Manager
- Ellen Stanifer, City of Miamisburg
- Scott Thomae, T Building owner, participated in the T Building walkdown
- Gary Weidenbach, Navarro, Operations Manager



*Figure 14. 2019 IC Walkdown Participants
(l-r) Melissa Lutz, Navarro; Anthony Campbell, Ohio EPA; Ellen Stanifer, City of Miamisburg;
Shannon Dettmer, ODH; David Seely, EPA; Brian Nickel, Ohio EPA; Sue Smiley, LM*



*Figure 15. 2019 IC Walkdown Participants
(l-r) Shannon Dettmer, David Seely, Brian Nickel, Sue Smiley, Brian Zimmerman, LM; and
Eric Cluxton, MDC*

Sue Smiley, LM Mound site manager, began the site walkdown at the MDC office with a presentation that defined the scope of the annual IC assessment and presented the results of the preliminary inspections.

The presentation is included in Appendix A. Participants were also given a safety briefing and an IC checklist for the walkdown. There were no comments from the site walkdown participants.

The walkdown included an inspection of the T Building special IC areas and a driving tour of the site with a stop at the former RCRA Burn Area.

In T Building, walkdown participants observed, and the building owner confirmed, that the red concrete had not been penetrated (Figure 16 and Figure 17), and no concrete had been removed from the special IC areas.



Figure 16. Anthony Campbell, Ohio EPA, and David Seely, EPA, in T Building Special IC Area



Figure 17. Building Owner, Scott Thoma, Patriot Communications; Sue Smiley, LM; and Eric Cluxton, MDC



Figure 18. IC Walkdown Participants Examining Special IC Area of Red Concrete



Figure 19. IC Walkdown Participants Standing on the Red Concrete in T Building



Figure 20. Melissa Lutz, Sue Smiley, Brian Nickel, and David Seely Inspecting Floors in Room T-16 (1S-10)



Figure 21. IC Inspection Participants Talking with Building Owner. (l-r) Sue Smiley, Shannon Dittmer, Ellen Stanifer, Brian Zimmerman, Gary Weidenbach, Anthony Campbell, David Seely, Brian Nickel, Eric Cluxton, Scott Thoma

Figure 22 and Figure 23 show the IC walkdown participants in the former RCRA Burn Area. Participants did not observe any evidence of soil removal, well drilling, or other potential IC issues.



Figure 22. IC Walkdown Participants at the former RCRA Burn Area



Figure 23. Anthony Campbell, Ohio EPA; Brian Zimmerman, LM; David Seely, EPA; and Brian Nickel, Ohio EPA, at the former RCRA Burn Area

Figure 24 and Figure 25 show the walkdown participants during wrap up discussions at the end of the physical inspection.



Figure 24. Eric Cluxton, Shannon Dettmer, Brian Nickel, Sue Smiley, David Seely, Melissa Lutz, Brian Zimmerman



Figure 25. Anthony Campbell, Shannon Dettmer, Brian Nickel, Sue Smiley, David Seely, Melissa Lutz, Brian Zimmerman, Gary Weidenbach

9.0 Interviews and Record Reviews

9.1 Communications with Property Owners

LM provides information on the Mound site ICs to all property owners each year during the IC assessment, via a combination of email, phone, or face-to-face meetings. LM reviews the purpose and legal requirements for the ICs with each property owner, to emphasize the purpose of each IC and to maintain institutional awareness of all ICs. LM gives each owner the *Mound Site Landowners - Institutional Control Compliance Form* to complete and return. The signed forms for the 2019 IC assessment are included in Appendix A.

On April 16, 2019, Sue Smiley, LM Mound site manager; Brian Zimmerman, LM alternate site manager; and Melissa Lutz and Joyce Massie, Navarro LMS team, met with property owners Eric Cluxton and Lorrie Huber, MDC; Clayton Luckie, Kierston Olivia LLC for ISS-Unlimited; Mark Sands, TWS Properties Inc.; Ferd Ejinaka, Pinnacle Architects; Tony Bell and Jay Wheeler, Montgomery County Sheriff's office representing Jen Skyline Inc. for Dunkirk Realty; and Mark Sands, The Woodworking Shop (TWS Properties LLC), to review the ICs and the property owners' responsibilities. Ms. Smiley reviewed the Mound ICs and provided the *Mound Site Landowners - Institutional Control Compliance Form* for meeting participants to read and sign.

Four property owners, who were unable to meet on April 16, completed and returned their forms to LM. Those owners were Jerry Abner, Mound Research LLC for Advanced Service Technologies; Joshua Stamps, GoKeyless for Sharpstone Investment Properties LLC; Matt Williams, Alien Workshop (Dyrdek Group); and Scott Thomae, Patriot Communications LLC.

LM and Navarro also met with City employees Chris Fine, development director; Ryan Homs, city planner; and Ellen Stanifer, environmental coordinator; at the City office on April 16, 2019. Eric Cluxton, MDC, also attended the meeting. Participants discussed methods to assure future IC compliance when properties are sold, and are therefore no longer under direct MDC oversight. Details regarding implementation of the new MB-1 zoning district were of special interest during the meeting. Details of the MB-1 are included in Section 9.2.1.1.

9.2 Records Reviews

9.2.1 City of Miamisburg

9.2.1.1 Zoning

The City Council approved City Ordinance 6758 that established the special zoning district for the Mound Business Park (MB-1) that limits the types of businesses allowed at the Mound Business Park. MB-1 will be implemented later this year when the other extensive City zoning code changes go into effect. Since MB-1 mentions the ICs, it will help educate the public and add another layer of protection for IC compliance through a codified City ordinance.

The text of MB-1 can be viewed at Part Twelve – Planning and Zoning Code, Title Six – Zoning, Chapter 1271 – MB-1 Mound Business Park at the webpage:

[http://library.amlegal.com/nxt/gateway.dll/Ohio/miamisburg_oh/codifiedordinancesofmiamisburgohio?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:miamisburg_oh](http://library.amlegal.com/nxt/gateway.dll/Ohio/miamisburg_oh/codifiedordinancesofmiamisburgohio?f=templates$fn=default.htm$3.0$vid=amlegal:miamisburg_oh).

9.2.1.2 Permits

In addition to the physical inspections for the annual assessment, LM reviews City of Miamisburg permit records to identify items that could involve compliance with Mound site ICs. Information reviewed includes building, electrical, HVAC, street opening, or other permits; zoning modification requests; and City Planning Commission requests.

LM contractor personnel requested that the City of Miamisburg Engineering Department query the City’s computer tracking system for permits and any city approvals, such as zoning, issued for other activities such as parking lots or road construction at the Mound Business park from April 1, 2018, to March 31, 2019. Areas of interest were all addresses on Capstone Drive, Vanguard Boulevard, Enterprise Court, Vantage Point, Mound Road (between building address numbers 885 and 1195 on west side of road), and Benner Road (between 799 Benner Road and Dayton-Cincinnati Road, on north side of road). The City provided the information in Table 5.

Table 5. City of Miamisburg Permit Files for Mound Site (April 1, 2018, to March 31, 2019)

Permit No.	Type	Date	Site Address
2018-0004	Street Openings	10/4/2018	Spectrum Cable For cable lines
20180003LS LS-01-18	Record Plan for Section 4 of Mound Advanced Technology Center / Replat of Section of Mound Bus. Park that contains the Technical Building	6/14/2018	965 Capstone Dr.
2018-0129	Interior Renovation	11/5/2018	480 Vantage Point
2018-0130	Electric for Renovation	11/5/2018	480 Vantage Point

The City did not identify any other site work performed on the Mound site that required review by the City Planning Commission or Engineering Department.

Since City permits are filed according to address, MDC or subsequent property owners are encouraged to inform LM of changes to street names or building addresses associated with the 1998 Mound Plant property boundary. This facilitates LM’s ability to review permits issued by the City or City Planning Commission documents.

The City is considering adding a question on various City permits that determines if the work will occur within the Mound Business Park and, if yes, provide information to the applicant on where to find information on the ICs. The LM is available to assist the City with amendment to the permit application form (e.g., provide map and LM point of contact information).

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

9.2.2 MDC

MDC and all current and future property owners must ensure that contractors performing work, such as landscaping and utility work that involves excavation or construction, comply with the Mound site ICs. MDC, which manages maintenance through Turner Properties for all areas owned by MDC, the City of Miamisburg, and LM, provides a preconstruction package that includes a description of the ICs. 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 E 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 <https://www.lm.doe.gov/mound/Sites.aspx>. To coordinate the movement of soil within the boundaries of the Mound site, the Comprehensive Reuse Plan (CRP) included a sitewide soil-grading plan. The CRP was incorporated into the City’s comprehensive plan, which is the basis for property zoning within the city limits.

MDC plans to complete platting the entire DOE Mound site property this year. 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 Montgomery 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 QC deed and the CERCLA 102(h) ES associated with the original parcel to ensure that future property owners are aware of their responsibility to comply with the ICs.

Navarro asked MDC to review the above wording in this section and to advise if the oversight process described had changed. In an April 2, 2019, email, Eric Cluxton, MDC, responded that the above “... information is accurate. All real estate transaction documents reference the same requirements.”

9.2.3 Ohio Department of Natural Resources (ODNR) Well Log Registry

Because ICs prohibit the use of groundwater, LM reviews the ODNR webpage to identify any new wells onsite not related to LM groundwater monitoring. This effort will be more useful in the future when ownership of the entire site has been transferred or sold. LM maintains a crosswalk of LM well numbers and the corresponding ODNR identification numbers for future well verifications. This table is in an appendix to the LTS&M Plan (DOE 2015c). The table contains all the information that is currently available, but information on some of the older wells could not be located on the ODNR webpage.

LM did not identify any new wells on the Mound site during the 2019 IC assessment.

9.3 Property Agreements

LM tracks property agreements, leases and changes in ownership, to the extent practical, in order to establish and maintain contact with those responsible for IC compliance. LM communicates with owners or their representatives each year to review ICs.

9.3.1 LM and MDC

9.3.1.1 Amendment 25 to the General Purpose Lease for Parcels 6–9

LM and MDC executed the *U.S. Department of Energy Amendment Number 25 to the General Purpose Lease* on October 2, 2017 (DOE 2017) that further amended the General Purpose Lease, Parts I and II, as amended, with appendix, on a month-to-month basis.

9.3.1.2 Appendix No. 1 to General Purpose Lease

The 2013 *Appendix No. 1 to the General Purpose Lease* (DOE 2013) formalized the requirement for MDC and tenants to adhere to the ICs during the lease period. This remains in effect under Amendment 25 until all property has transferred, and all of the QC deeds with the IC requirements are filed with Montgomery County.

9.3.1.3 Quitclaim Deed for Parcels 6, 7, and 8

LM and MDC signed the Quitclaim Deed for Parcels 6, 7, and 8 on January 3, 2018. LM requested MDC to take all necessary actions to have the deed recorded in the Montgomery County Recorder's Office, thus completing the formal transfer of LM title to MDC for those three parcels.

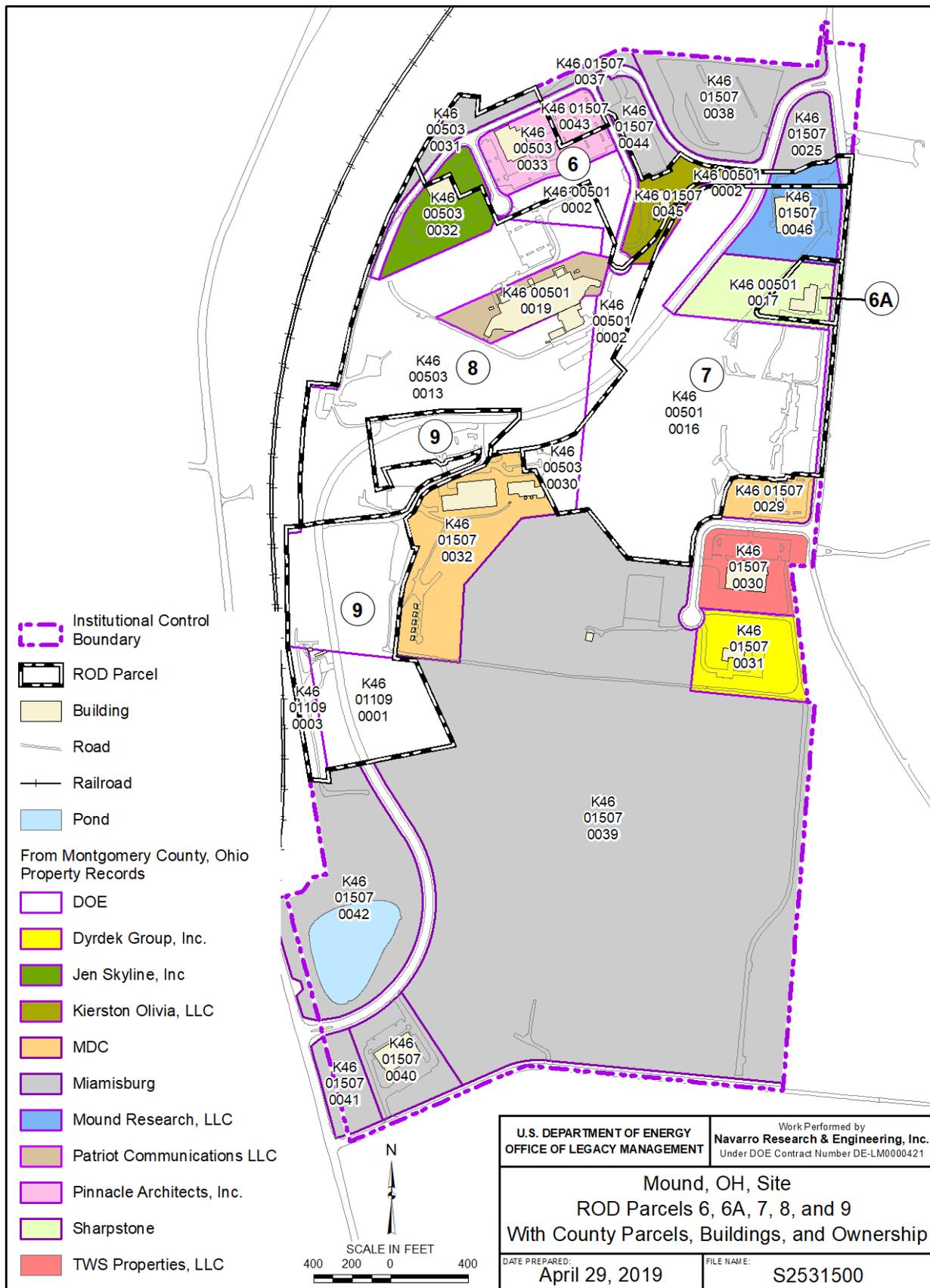
The QC for Parcels 6, 7, and 8 has not been recorded because the county requires current property descriptions for transfers. MDC platted and recorded Section 4 that contains T Building and has drafted a plat of Section 5 that contains the balance of the property in Parcels 6, 7, and 8. See sections below for additional information on the status of property transfers.

9.3.2 MDC and City

The City Ordinance 6393, April 16, 2013, included a Transfer Agreement that authorized the City Manager to enter into a property transfer agreement between the city and MDC. Several property transfers occurred during this review period as shown in Section 9.4. The agreement 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."

9.4 Property Changes – Platting, Transfers, Sales

The following sections briefly describe the platting, property transfers, and property sales during this review period that were reported or found in the Montgomery County property records. Figure 26 shows the current property ownership found in the Montgomery County records.



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Figure 26. Parcels, Buildings, and Ownership

Appendix B contains the detailed property information for transactions during this review period. This includes tables with current property and building details, plat drawings, and copies of QC or LW deeds recorded at the county during this IC assessment period.

9.4.1 MDC Platted Two Areas of the Site

9.4.1.1 Section 4 – Parcel Containing T Building

MDC filed the Section 4 Plat 2018-00052009 (see drawing in Appendix B) with Montgomery County on September 9, 2018. This plat created one new parcel out of LM-owned ROD Parcel 8.

9.4.1.2 Section 5 – Draft – Balance of Parcels 6, 7, 8, and 9

MDC created the Section 5 Plat draft in April 2018 (see Appendix B) which was not filed with Montgomery County during this review period. This plat included all of the remaining parts of ROD parcels 6, 7, 8, and 9.

9.4.2 Transfers and Sales

Table 6 provides a summary of the property transactions in the Montgomery County, Ohio, property records and additional information obtained during this assessment period. The details for Mound site properties are included in the property tables and attachments in Appendix B.

Table 6. Summary of Property Transfers and Sales

Date	Legal Document	Action
8-6-18	QC Deed 18-00045893	City of Miamisburg transferred OSE parking lot parcel back to MDC.
8-6-18	LW Deed 18-00045894	MDC sold OSE Building and parking lot parcels to Pinnacle Architects.*
9-5-18	Plat 2018-00052009	MDC replatted Section 4 that created new T Building parcel.
11-1-18	QC Deed 18-00064591	LM transferred T Building parcel to MDC.
11-1-18	LW Deed 18-00064592	MDC sold T Building parcel to Patriot Communications LLC.*
12-31-18	QC Deed 18-00076268	MDC transferred Flex Building parcel, Excelitas parcel, and small parcel north of OSW to the City of Miamisburg.
3-27-19	LW Deed 19-00015160	MDC sold Building 105 to TWS Properties LLC – The Woodworking Shop.*
4-23-19	QC Deed 2019 00020278	City of Miamisburg transferred Excelitas parcel back to MDC.
April 2019	draft	MDC created a draft replat of Section 5 – balance of property.

Note:

*Notified Ohio EPA

Abbreviations:

OSE = Operational Support East

OSW = Operational Support West

10.0 Conclusions and Recommendations

The sitewide 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.

There were no recommendations resulting from the 2019 IC assessment.

11.0 Contact Information

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

Sue Smiley
LM Mound Site Manager
U.S. Department of Energy
Office of Legacy Management
10995 Hamilton-Cleves Highway
Harrison, OH 45030-9728
(513) 648-3333
Email: sue.smiley@lm.doe.gov
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:

David Seely
Remedial Project Manager
U.S. Environmental Protection Agency
77 W. Jackson Boulevard
Chicago, IL 60604-3590
(312) 886-7058
Email: david.seely@epa.gov

-or-

Brian Nickel
Remedial Project Manager
Ohio Environmental Protection Agency
401 E. Fifth Street
Dayton, OH 45402-2911
(937) 285-6468
Email: brian.nickel@epa.ohio.gov

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

Appendix A

Annual Assessment Checklist with Supporting Documents

Appendix A Contents

1. IC Assessment Checklist
2. IC Assessment walkdown attendance with pre-job and job safety analysis sign in sheets
3. IC Assessment walkdown presentation
4. RCRA - Ohio EPA letter, April 19, 2016, advising that LM's IC Assessment satisfies RCRA annual IC reporting requirement. LM will continue to include this letter in all future IC Reports.
5. MDC notification of property sale of Operational Support East (OSE) Building
6. MDC notification of property sale of T Building
7. MDC notification of property sale of Building 105
8. Mound Site Landowners IC Compliance Forms
 - a. City of Miamisburg
 - b. Dyrdek Corporation represented by Alien Workshop
 - c. Jen Skyline Inc.—Dunkirk Realty Limited
 - d. Kierston Olivia LLC—ISS-Unlimited
 - e. Mound Development Corporation
 - f. Mound Research LLC—Advanced Service Technologies
 - g. Patriot Communications LLC
 - h. Pinnacle Architects LLC
 - i. Sharpstone Investment Properties LLC represented by GoKeyless
 - j. TWS Properties LLC – The Woodworking Shop LLC

**Mound, Ohio, Site (Mound Site)
2019 LM Institutional Controls (ICs) Compliance Assessment Checklist**

Preliminary inspections by Navarro performed on: February 20 and April 1, 2019

Physical inspection walkdown with regulators on: April 18, 2019

Review and walkdown led by: Sue Smiley, DOE LM

Participants in physical inspection walkdown: See attached attendance sheet

Status of any outstanding IC issues or recommendations from previous annual IC assessment reports, follow-up inspections, five-year reviews, etc.:

Origin	Issue/ Recommendation	Status	Responsible/Current Status 2019
2015 Annual IC Assessment Report (DOE 2015a)	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.	Closed	Completed City of Miamisburg has created a special zoning district, MB-1, to control land use at Mound Business Park. This should become effective some time in 2019.
2016 FYR Report (DOE 2016b)	It is recommended that an assessment of current site data be performed to evaluate if possible exposure pathways are or could be present that would result in potential exposure in existing and future buildings and structures at the Mound site as outlined in the OSWER Technical Guide. The assessment will prioritize areas with existing buildings and may include indoor air quality testing as well as sampling of subsurface vapors in or near existing buildings. If additional work is warranted, this assessment will include a proposal for additional work and associated schedule. If it is determined during this assessment that conditions exist that may pose a health risk to building occupants, the Mound Core Team will be contacted immediately, and a course of action will be developed.	Closed	Completed. <i>Vapor Intrusion Assessment: Phase I Preliminary Screening and Conceptual Model for the Mound, Ohio, Site (LMS/MND/S15736)</i> dated March 2019 (DOE 2019) The assessment report was approved by Ohio EPA on April 3, 2019 and by EPA on April 4, 2019.
2016 FYR Report (DOE 2016b)	PFAS Assessment: It is recommended that the results of the PFAS research be presented, along with a written summary, to the Mound Core Team	Closed	Completed. <i>A Summary of the Per- or Polyfluorinated Alkyl Substances Records Search for Indications of Use at the Mound, Ohio, Site (LMS/MND/S15235)</i> dated December 2016 (DOE 2016c) The summary report was approved by EPA on December 4, 2017, and by Ohio EPA on April 14, 2017.
2016 Annual IC Assessment	Revise the legal descriptions for City-owned parcels K46 01507 0041 and K46 01507 0042, to define areas that were not part of the original Mound site boundary, and are therefore not covered by ICs.	Closed	Completed. LM will assure that IC assessors understand the location of the Mound site boundaries. The City will not revise legal descriptions.
	Clarify that onsite roadways transferred to the City of Miamisburg remain covered by the site ICs. Consider issuing a City procedure that will ensure any repairs of the roads or adjacent utility corridors within the right-of-way comply with the ICs.	In process	In process. MB-1 described above. LM working with City to add information to street opening and building permits.
	Clarify that the two areas in Phase I and BOI (Now GoKeyless) Tract 2 to the center line of Mound Road are exempted from the soil-removal IC.	In process	EM LM provided draft Release Document to EPA and Ohio EPA on February 26, 2017. Graphic to ODH on March 21 and to Ohio EPA April 13, 2017. Requires signature of current property owners
2017 and 2018 Annual IC Assessments	None	None	None

**Mound, Ohio, Site (Mound Site)
2019 LM Institutional Controls (ICs) Compliance Assessment Checklist**

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?)

- Inspectors did not observe, nor were made aware of, any construction activities or soil disturbance on the Mound site that would indicate soil removal.

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

- Sue Smiley and Brian Zimmerman (LM), accompanied by Joyce Massie, Navarro LMS Team, met with several property owners to review the institutional controls. Gave each the *Mound Site Landowners - Institutional Control Compliance Form* to complete, sign, and return.
 - Scott Thomae, Patriot Communications (T Building) met at pre-tour of T Building 4-1-19
 - Chris Fine, Ryan Homs, and Ellen Stanifer, City of Miamisburg
 - Eric Cluxton and Lorrie Huber, MDC
 - Clayton Luckie, (ISS-Unlimited) (Bldg. 45)
 - Ferd Ejinaka, Pinnacle Architects (OSE)
 - Tony Bell and Jay Wheeler, Montgomery County Sheriff (Dunkirk Realty) (Operational Support West [OSW])
 - Mark Sands, The Woodworking Shop (TWS Properties LLC)
- The following owners were unable to meet in person, but were sent the information and form. See Appendix A for signed forms.
 - Jerry Abner, Advanced Service Technologies (Building 61)
 - Matt Williams, Alien Workshop (Dyrdek Group) (Bldg. 100)
 - Josh Stamps, GoKeyless (Bldg. 126)
- Leslie Karacia and Sharon Long, Engineering Department, City of Miamisburg, emailed listings of the permits.
- Melissa Lutz, Navarro, provided managerial and logistics support and participated in physical inspections, records reviews and the IC walkdown.
- Joyce Massie, Navarro LMS Team, conducted inspections, took photos, compiled and analyzed the inspection information, assembled the walkdown presentation, and wrote and coordinated reviews of the IC Report.
- Gary Weidenbach, Navarro, assisted with physical inspections and the IC Walkdown and furnished information about activities observed during the review period (May 1, 2018 thru April 30, 2019). He also provided the safety briefing before the walkdown.
- Eric Cluxton, Director of Mound Development Corp., participated in IC Walkdown on April 18.
- Brian Nickel and Anthony Campbell (RCRA), Ohio EPA, participated in IC Walkdown on April 18.
- David Seely, EPA, participated in IC Walkdown on April 18.
- Shannon Dettmer, Ohio Department of Health, participated in IC Walkdown on April 18.
- City of Miamisburg, Ellen Stanifer, participated in IC Walkdown on April 18.

**Mound, Ohio, Site (Mound Site)
2019 LM Institutional Controls (ICs) Compliance Assessment Checklist**

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

None.

List the city, 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 Engineering Department building and street opening permit list.
- ODNR well log web page
- Property records on Montgomery County Auditor's website, <http://www.mcrealestate.org/Main/Home.aspx>.

On the basis of 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?)

- There were three permits reported by the City for the period.
- Found no evidence of work performed within Mound Business Park footprint in manner that was not compliant with the ICs.
- Navarro asked MDC to review Section 9.2.2. in the 2018 Annual IC Assessment Report and to advise if this was accurate and presented the current conditions. Eric Cluxton responded in a 3/28/19 email, "I did briefly review and it looks consistent with prior documents. I approve."
- GoKeyless, Alien Workshop (Dyrdek Group), ISS-Unlimited, Advanced Service Technologies, Dunkirk Realty, Patriot Communications, Pinnacle Architects, and The Woodworking Shop manage improvements on their properties.

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

- Yes. The City of Miamisburg created a special zoning district (SZD) MB-1 for the Mound Business Park with Ordinance 6753 approved by the City Council on January 15, 2019. The City plans to implement this special zoning sometime this year. The wording of MB-1 can be located at [http://library.amlegal.com/nxt/gateway.dll/Ohio/miamisburg_oh/codifiedordinancesofmiamisburgohi?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:miamisburg_oh](http://library.amlegal.com/nxt/gateway.dll/Ohio/miamisburg_oh/codifiedordinancesofmiamisburgohi?f=templates$fn=default.htm$3.0$vid=amlegal:miamisburg_oh) - Part Twelve, Title Six, Chapter 1271, MB-1.
- The SZD includes the 1998 Mound Plant boundary plus two small areas at the southwest entry. The SZD limits the kinds of activities permitted. The City included a short description of the ICs but City does not be the legal authority to enforce IC compliance. LM would enforce the ICs through Department of Justice.

**Mound, Ohio, Site (Mound Site)
2019 LM Institutional Controls (ICs) Compliance Assessment Checklist**

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 Montgomery County, Ohio, and LM records and correspondence regarding the Mound site property.
- Reviewed LM and Navarro records and determined:
 - LM continues to extend the general purpose lease agreement with MDC on a month-to-month basis for the areas still owned by LM. (*Executed Amendment Number 25 to the General Purpose Lease*).
 - GPL Appendix #1 continues to apply ICs to the leased areas of the site that haven't been transferred with a QC deed.
- All of the following property changes are included in the Property Ownership Table in Appendix B Property Information. Copies of plats, QC deeds, and LW deeds for the review period are also included.
 - City of Miamisburg transferred OSE parking lot back to MDC.
 - MDC sold OSE Building and the parking lot to Pinnacle Architects.
 - City of Miamisburg and MDC replatted Section 4 of the Mound site into a separate parcel containing T Building.
 - LM issued QC Deed for the T Building parcel to MDC, and MDC sold it to Patriot Communications LLC.
 - MDC sold Building 105 to TWS Properties LLC (The Woodworking Shop).
 - MDC sent LM a draft replat drawing for Section 5 of the Mound site that includes the remaining areas of Parcels 6, 7, 8, and 9. This plat has not been signed or filed with Montgomery County.

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

The quitclaim deeds from LM to MDC contained the IC restrictions.

The limited warranty deeds from MDC to new owners referenced the quitclaim deeds.

MDC notified Ohio EPA of the sale of parcels containing OSE, T Building, and Building 105.

Provide detail on any other issues identified during this assessment.

None

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.

**Mound, Ohio, Site (Mound Site)
2019 LM Institutional Controls (ICs) Compliance Assessment Checklist**

Evidence of unauthorized groundwater use?

No.

Evidence of land use other than “industrial” (e.g., residential)?

No

T Building only - areas with additional institutional controls:

Have ICs been followed? See O&M Plan, Appendix B, *T Building Special ICs Core Team Agreement and Position Paper, and Floor Plan Figure.*

There was no evidence of penetration into the red concrete or removal of concrete from the special IC areas of T Building.

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

No

Recommendations from 2018 preliminary physical IC inspections or records reviews:

No IC-related recommendations.

Recommendations from participants in the April 19, 2018, physical walkdown with regulators:

None were received.

Conclusion/comments:

This IC assessment did not find any instances of IC noncompliance.

Prejob Brief/Safety Meeting Attendance Record

Form implemented by the Integrated Work Control Process (LMS/POL/S11763)

Project:	<u>Institutional Controls Inspection</u>	Job Safety Analysis:	<u>Mound Tours and Inspections JSA</u>
Location:	<u>Mound</u>	Procedure Title:	<u>N/A</u>
<input type="checkbox"/>	Initial pre-job brief	<input checked="" type="checkbox"/>	Pre-job brief/safety meeting
Briefing performed by:	<u>Gary Weidenbach</u>	Date:	<u>04/18/2019</u>

Description of the work scope (authorized work*, roles/responsibilities, changed conditions, training requirements, hold points, quality requirements, environmental requirements, lessons learned as applicable):

Perform Institutional Controls Inspection of Mound
Tour/Inspect site and T-building.

Hazards; slips trips and falls, watch your footing. Avoid tripping hazards.

Review the Mound Tours and Inspections JSA before starting this task for pertinent items to be addressed..

Check specific item below covered during the briefing (*Items are mandatory for initial pre-job brief)					
General Hazards	<input type="checkbox"/> NA	Yes	Equipment	<input checked="" type="checkbox"/> NA	Yes
	Fall potential, floor opening, and elevated work	<input type="checkbox"/>		<input type="checkbox"/>	1. Aerial lift
Wildlife or biting/stinging insects	<input type="checkbox"/>	<input type="checkbox"/>	2. Ladder	<input type="checkbox"/>	<input type="checkbox"/>
Heat/cold stress (assessments/monitoring)	<input type="checkbox"/>	<input type="checkbox"/>	3. Forklift/Tele-handler	<input type="checkbox"/>	<input type="checkbox"/>
Sharp objects	<input type="checkbox"/>	<input type="checkbox"/>	4. Crane	<input type="checkbox"/>	<input type="checkbox"/>
Area access/egress	<input type="checkbox"/>	<input type="checkbox"/>	5. Chain fall/come along	<input type="checkbox"/>	<input type="checkbox"/>
Weather conditions (wind > 25 mph, lightning, rain, snow, fire danger, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	6. Scaffold	<input type="checkbox"/>	<input type="checkbox"/>
Pinch points	<input type="checkbox"/>	<input type="checkbox"/>	7. Earth moving equipment	<input type="checkbox"/>	<input type="checkbox"/>
Manual lifting	<input type="checkbox"/>	<input type="checkbox"/>	8. Rotating equipment (drilling or other)	<input type="checkbox"/>	<input type="checkbox"/>
Elevated noise > 85 dba	<input type="checkbox"/>	<input type="checkbox"/>	9. Hand tools	<input type="checkbox"/>	<input type="checkbox"/>
Overhead hazards	<input type="checkbox"/>	<input type="checkbox"/>	10. Power tools	<input type="checkbox"/>	<input type="checkbox"/>
Traffic (control/worker protection/flagger)	<input type="checkbox"/>	<input type="checkbox"/>	11. Dump truck	<input type="checkbox"/>	<input type="checkbox"/>
Maintain good housekeeping	<input checked="" type="checkbox"/>	<input type="checkbox"/>	12. Compacting equipment	<input type="checkbox"/>	<input type="checkbox"/>
Nearby storm drains, streams, ponds, or wetlands. Run off control	<input type="checkbox"/>	<input type="checkbox"/>	13. Bucket truck	<input type="checkbox"/>	<input type="checkbox"/>
Spills and releases	<input type="checkbox"/>	<input type="checkbox"/>	14. Mowing/lawn equipment	<input type="checkbox"/>	<input type="checkbox"/>
Waste generation	<input type="checkbox"/>	<input type="checkbox"/>	15. Snow removal equipment	<input type="checkbox"/>	<input type="checkbox"/>
Other: slips/trips/falls	<input type="checkbox"/>	<input type="checkbox"/>	16. Geoprobe operations	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17. Other:	<input type="checkbox"/>	<input type="checkbox"/>

NAVARRO

Contractor to the U.S. Department of Energy Office of Legacy Management

Job Safety Analysis (JSA)

Site and Building Tours and Inspections

Mound

Institutional Controls

RJW

4-18-19

I have reviewed, understand the hazards present at the worksite, and will comply with the Integrated Work Planning and Control document to perform work, as acknowledged by my signature below. I understand the JSA does not authorize work.

Print Name	Signature	Company	Date
ANTHONY CAMPBELL	<i>[Signature]</i>	OHIO IEPA	4/18/2019
Ellen Stanifer	<i>[Signature]</i>	City of Mansburg	4/18/2019
Shannon Dettmer	<i>[Signature]</i>	Ohio dept Health	4/18/19
DAVID SEELY	<i>[Signature]</i>	U.S. EPA	4/18/19
Brian Mikel	<i>[Signature]</i>	Ohio EPA	4/18/19
Sue Smiley	<i>[Signature]</i>	DOE-LM	4/18/19
Brian Zimmermann	<i>[Signature]</i>	DOE	4/18/19
JOYCE MASSIE	<i>[Signature]</i>	Navarro	4-18-19
Melissa Lutz	<i>[Signature]</i>	Navarro	4-18-19
Gary L. Weidenbach	<i>[Signature]</i>	LMOTA	4-18-19
ERIC CLUXAN	<i>[Signature]</i>	MDC	4/18/19

2019 Annual Assessment of Institutional Controls at the Mound, Ohio, Site

Preliminary Inspection Results

Sue Smiley, LM Mound Site Manager
U.S. Department of Energy (DOE)
Office of Legacy Management (LM)

Site Walk Down • April 18, 2019



Institutional Controls

- Institutional controls (ICs) are:
 - Used as legal and administrative tools
 - Designed to protect human health and the environment




Mound Site Institutional Controls

- Implemented under the authority of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980
- Defined by CERCLA Records of Decision (RODs)
- Run with the land in the form of activity and use limitations
- Incorporated into deed restrictions and/or the Parcel 9 Environmental Covenant recorded with Montgomery County
- Apply to all future land and groundwater uses, including removal of soil from footprint of original DOE Mound Plant boundary



Mound Site Institutional Controls Apply to Entire Former Mound Plant Site



2016 aerial view looking north



Mound Site Institutional Controls Mound Site with ROD Parcels



- Site boundary (red)
- Site RODs (purple)
 - Parcel 3
 - Parcel 4
 - Parcel D
 - Parcel H
 - Phase I Parcel (A, B, C)
 - Parcels 6, 7, and 8
 - Parcel 9
- Off-site ROD (gold)
 - OU-4 former Miami Erie Canal Area was a no-action ROD; no use restrictions or ICs



Mound Site Institutional Controls In the Form of Activity or Use Restrictions

- Limit land use to industrial/commercial only
- Prohibit extraction, consumption, exposure, or use of the groundwater underlying the premises*
- Prohibit soil removal from original Mound site property*
- Allow site access DOE, federal & state agencies to monitor performance of all CERCLA remedies




*Unless prior written approval from U.S. Environmental Protection Agency (EPA), Ohio EPA, and Ohio Department of Health (ODH) has been obtained



Mound Site Institutional Controls Special ICs for Areas in T-Building

- Prohibit penetration of red concrete floors (red areas)*
- Prohibit removal of concrete floor material (green areas)*

*Without prior approval from the EPA, Ohio EPA, and ODH

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Mound Site Institutional Controls Exemptions from Soil Removal Restrictions

- DOE exempted three areas in the quitclaim deeds when property transferred to the Mound Development Corporation (MDC)

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Mound Site Institutional Controls Annual IC Assessments

- Determine whether:
 - ICs continue to function as designed
 - Adequate oversight mechanisms are in place to identify possible violations of ICs
 - Sufficient amount of resources are available to correct or mitigate any problems if violations occur
- Examine changes that could indicate an IC violation, such as:
 - Land use other than for industrial/commercial
 - Unapproved use of groundwater
 - Unapproved removal of soil from original ~306 acre site footprint
 - Unapproved penetration or removal of concrete from special IC areas on T-Building first floor

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Mound Site Institutional Controls Annual IC Assessment Process

- Review status of previous findings or recommendations
- Conduct preliminary physical site inspections
 - Identify any non-compliance with ICs
 - Identify other changed site conditions
 - Document observations
- Review applicable local and state records, including but not limited to:
 - Montgomery County property records
 - City of Miamisburg permits
 - Construction, street opening, building occupancy, etc.
 - Zoning modification requests
 - Ohio Department of Natural Resources (ODNR) website for well drilling and abandonments

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Mound Site Institutional Controls Annual IC Assessment Process (continued)

- Meet with site property owners to review ICs and discuss any issues
- Conduct a site walk down with regulators, MDC, and the city of Miamisburg
- Publish IC assessment report by June 13 of each year

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Observations from Preliminary Inspections Previous Recommendations

- 2016 Recommendations:
 - Revise the legal descriptions for city-owned parcels (K46 01507 0041 and K46 01507 0042) to define areas that were not part of the original Mound site boundary, and are therefore not covered by ICs
 - Clarify that on-site roadways transferred to the city of Miamisburg remain covered by site ICs, and consider issuing a city procedure that will ensure any repairs of the roads or adjacent utility corridors within the right-of-way comply with the ICs
- 2019 Status – Met with city on April 16:
 - City approved zoning code changes; Mound site special zoning district (SZD) MD-1 was included
 - SZD will codify Mound Business Park boundary, permitted businesses, land use, etc.
 - City may also add a question to permit applications that triggers attention to CERCLA IC requirements

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Observations from Preliminary Inspections
Previous Recommendations (continued)

- 2016 Recommendation:
 - Clarify that the two areas (Phase I and GoKeyless Tract 2 to the center line of Mound Road) are currently subject to the soil removal IC
- 2019 Status –
 - EPA reviewing proposed “exception” language
 - DOE proposed real property instrument to add “exception” language (i.e., language similar to other previously conveyed properties)
 - Discussions involve LM, MDC, and city of Miamisburg
 - Ohio EPA and ODH concurred on proposed language
 - Pending EPA approval of draft real property instrument, DOE would add to property record recorded at Montgomery County

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Observations from Preliminary Inspections
IC Compliance Observations

- No prohibited land use was observed
- No unauthorized groundwater wells were observed or noted on the ODNR well log internet site
- No evidence of soil removal from the original footprint (approximately 306 acres) of the Mound site was observed
- No concrete was penetrated or removed in the special IC areas of T-Building




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Observations from Preliminary Inspections
IC Compliance Observations

- Property ownership changes
- New MDC signs at south pond and throughout the site

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Observations from Preliminary Inspections
Property Ownership Changes

- MDC sold OSE Building and parking lot to Pinnacle Architects
- MDC transferred three parcels to city:
 - Flex Building
 - Excelitas Building
 - Hillside parcel north of OSE Building
- LM transferred T Building parcel to MDC
- MDC sold T Building parcel to Patriot Communications
- MDC sold Building 105 parcel to Woodworking Shop

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Observations from Preliminary Inspections
Ownership Changes as of April 2019



Former OSE Building

- MDC sold to Pinnacle Architects

MDC replatted - Section 4
Contains T Building

- LM transferred this area to MDC
- MDC sold to Patriot Communications

Former Building 105

- MDC sold to Woodworking Shop

Flex Building, Excelitas, and North parcel

- MDC transferred to city

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Observations from Preliminary Inspections
MDC Signs

- New MDC signs are visible in several site locations




MDC sign at south pond near walking path
New sign layout

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Observations from Preliminary Inspections Summary

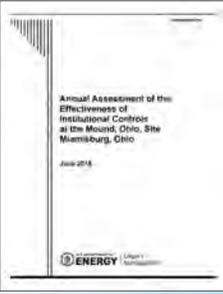
Observed no IC violations during the preliminary physical inspections and the review of records for the 2019 annual IC assessment reporting period.



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Annual IC Assessment Report

- Report will:
 - Detail all assessment results
 - Document changes since 2018 annual IC assessment
 - Address recommendations from previous reports
 - Contain checklist of observations
 - Contain photos
 - Be published and distributed by June 13, 2019
 - Be uploaded to Mound site webpage at <https://www.lm.doe.gov/mound/Sites.aspx>




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Questions?




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Walk-Down Schedule

- Safety briefing
 - Review and sign job safety analysis
- Driving tour
 - Stop and observe areas as requested by participants
 - Walking tour of T Building first floor
 - Return any comments on checklist at the end of tour
- Return to MDC conference room for wrap up






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

April 19, 2016

Ms. Gwendolyn Hooten
U.S. Department of Energy
Office of Legacy Management
11025 Dover Street, Suite 1000
Westminster, Colorado 80021

Re: US DOE Mound Fac, Miamisburg
Remediation Response
Correspondence
RCRA C - Hazardous Waste
Montgomery County
OH6890008984

**Subject: U.S. DOE Mound Plant Burn Area Closure and Annual RCRA
Institutional Control Inspection**

Dear Ms. Hooten:

The purpose of this memo is to memorialize Ohio EPA's Resource Conservation and Recovery Act (RCRA) decision to not continue a separate institutional control inspection at the United States Department of Energy (U.S. DOE) Mound site.

On August 16th, 1996, Ohio EPA approved a closure plan for the burn area (consisting of 6 regulated units) at the U.S. DOE Mound site located in Miamisburg, Ohio (Mound Site). This closure plan was to be a closure by removal. Work was completed per the approved closure plan, however, confirmatory soil samples exceeded the closure performance standard for Antimony. As a result of this, U.S. DOE decided to amend the approved closure plan to include a risk assessment to close out the site soils. This amendment was received on February 9, 1998. This amendment also included the closure certification report for the other areas within the burn area that had met the closure performance standard. The closure certification did not come under separate cover as is typical and was included in the February 1998 closure plan amendment. Ohio EPA can't document approval of this plan amendment or acceptance of the closure certification report. On June 28, 1999, U.S. DOE again amended the closure plan to include an industrial re-use deed restriction on the burn area property. Approval of this plan was granted by Ohio EPA on July 26, 1999. It must be assumed that with this July 1999 approval of the amended plan, which contained the previously submitted risk assessment and closure certification, that Ohio EPA deemed the closure performance standard to have been met. A secondary review of this document, completed prior to the crafting of this letter concurs with the findings.

There are five RCRA/CERCLA Institutional Controls (IC's) at the Mound Site. These include:

1. Maintenance of industrial/commercial land use
2. Prohibition against residential use
3. Prohibition against use of ground water
4. Site access for federal and state agencies for environmental monitoring
5. Prohibition of removal of Phase 1 CERCLA soils without approval

As a result of the final Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) cleanup of the entire Mound Site, the U.S. DOE in conjunction with U.S. EPA, Ohio EPA, Ohio Department of Health, Mound Development Corporation and the city of Miamisburg perform annual inspections of the IC's. A report is generated from this annual inspection documenting findings and any corrective measures needed to maintain the IC's. The burn area is a part of this annual inspection as there were nine additional potential release sites remediated in the burn area which had not been covered under the RCRA closure. Ohio EPA conducts a separate annual inspection of the burn area to verify that the industrial reuse scenario is being followed and the area maintained as described in the approved closure plan, with inspection correspondence being sent to the land owner. This inspection is not required by rule, but is done as a matter of internal policy within Ohio EPA. Based upon that fact that two identical, yet programmatically separate inspections are occurring at the burn area, Ohio EPA recommends eliminating the separate RCRA inspection and will rely on the CERCLA inspection to verify compliance with the IC's. A copy of the CERCLA inspection report must be sent to Ohio EPA's current RCRA program supervisor to ensure we are able to document compliance with the recommended RCRA inspection schedule. However, if at any time in the future, the CERCLA inspection is discontinued, Ohio EPA will require the RCRA inspection be conducted on an annual basis consistent with the procedures established prior to the issuance of this letter.

Ms. Gwendolyn Hooten
U.S. DOE Mound, Miamisburg, Burn Area Annual RCRA IC Inspection
April 19, 2016
Page 3 of 3

If there are any questions, please contact me at (937) 285-6035.

Sincerely,



Randall G. Kirkland
Environmental Supervisor
Division of Environmental Response and Revitalization

cc: Brian Nickel, Ohio EPA, DERR
Anthony Campbell, Ohio EPA, DERR
Erik Hagen, Ohio EPA, DERR
Robyn Winstead, Ohio EPA, DERR
David Seely, U.S. EPA, RPM
Larry Kelly, EM Consolidated Business Center
Chris Fine, City of Miamisburg
Eric Cluxton, Mound Development Corporation

RGK/bp



August 15, 2018

Mr. Brian Nickel
Ohio EPA
401 E. Fifth Street
Dayton, OH 45402-2911

Dear Brian:

On August 3, 2018, **MOUND DEVELOPMENT CORPORATION** sold the property located at 480 Vantage Point, Miamisburg, Ohio 45342, Parcel ID No.: K46 01507 0043 and K46 00503 0033.

PINNACLE ARCHITECTS, INC.

Ferdinand C. Ejinaka
President
480 Vantage Point, Miamisburg, OH 45342
Mailing address: 1557 Springhill Avenue, Kettering, OH 45409
Telephone: (937) 222-1117, ext. 201

Enclosed is a copy of the Limited Warranty Deed, which is being recorded with the Montgomery County Recorder's Office. Thank you.

Sincerely,

MOUND DEVELOPMENT CORPORATION

Eric Cluxton
President

Enclosures

cc: David Seely (USEPA Region 5)
Bud Sokolovich (DOE-LM Realty Office)
Sue Smiley (DOE-LM Site Manager)
Melissa Lutz (Navarro)
Joyce Massie (Navarro)
Ferdinand Ejinaka (Pinnacle Architects, Inc.)

Mound Development Corp.
965 Capstone Drive, Suite 480
PO Box 232
Miamisburg, OH 45342

Phone: 937.865.4462 | Fax: 937.865.4431



November 8, 2018

Mr. Brian Nickel
Ohio EPA
401 E. Fifth Street
Dayton, OH 45402-2911

Dear Brian:

On October 26, 2018, **MOUND DEVELOPMENT CORPORATION** sold the property located at 945 Capstone Drive, Miamisburg, Ohio 45342 (T-Building).

PATRIOT COMMUNICATIONS LLC
Scott Thomae, President
945 Capstone Drive, Miamisburg, OH 45342
Mailing address: 101 North 1st Street, Miamisburg, OH 45342
Telephone: (937) 203-3141

Enclosed is a copy of the Limited Warranty Deed, which is being recorded with the Montgomery County Recorder's Office. Thank you.

Sincerely,

MOUND DEVELOPMENT CORPORATION

Eric Cluxton
President

Enclosures

cc: David Seely (USEPA Region 5)
Bud Sokolovich (DOE-LM Realty Office)
Sue Smiley (DOE-LM Site Manager)
Melissa Lutz (Navarro)
Joyce Massie (Navarro)
Scott Thomae (Patriot Communications LLC)

Mound Development Corp.
965 Capstone Drive, Suite 480
PO Box 232
Miamisburg, OH 45342

Phone: 937.865.4462 | Fax: 937.865.4431



April 1, 2019

Mr. Brian Nickel
Ohio EPA
401 E. Fifth Street
Dayton, OH 45402-2911

Dear Brian:

On March 26, 2019, **MOUND DEVELOPMENT CORPORATION** sold the property located at 1195 Mound Road, Miamisburg, Ohio 45342, Parcel ID No.: K46-01507-0030 to:

TWS PROPERTIES, LLC (holding company for **The Woodworking Shop**)
Mark Sams, Owner
1195 Mound Road, Miamisburg, OH 45342
Telephone: (513) 330-9663

Enclosed is a copy of the Limited Warranty Deed, which is being recorded with the Montgomery County Recorder's Office. Please let me know if you have any questions. Thank you.

Sincerely,

MOUND DEVELOPMENT CORPORATION

Eric Cluxton
President

Enclosure

cc: David Seely (USEPA Region 5)
Bud Sokolovich (DOE-LM Realty Office)
Polly Robinson (DOE-LM Realty Office)
Sue Smiley (DOE-LM Site Manager)
Melissa Lutz (Navarro)
Joyce Massie (Navarro)
Mark Sams (The Woodworking Shop)

Mound Development Corp.
965 Capstone Drive, Suite 480
PO Box 232
Miamisburg, OH 45342

Phone: 937.865.4462 | Fax: 937.865.4431

Date: 4-30-19 Property Owner: City of Miamisburg

Mound Site Landowners – Institutional Controls Compliance Form - 2019

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 April 2018 to April 2019 and return to DOE LM within 15 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 EPA, 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:

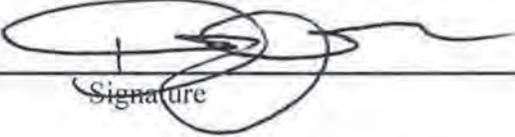
Date: 4-30-19

Property Owner: City of Miamisburg

Mound Site Landowners – Institutional Controls Compliance Form - 2019

- 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.
- 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.

<u>KERK JOUTSEA</u>		<u>4-30-19</u>
Printed Name	Signature	Date
<hr/>		
<u>CITY MANAGER</u>	<u>CITY OF MIAMISBURG</u>	
Title	Company	

Please return the signed form within 15 days via mail or email. If you have any questions, please contact

Susan Smiley
Mound Site Manager
U.S. Department of Energy
Office of Legacy Management
10995 Hamilton-Cleves Highway
Harrison, OH 45030-9728
sue.smiley@lm.doe.gov or at (513) 648-3333.

Date: 4/29/19 Property Owner Dyrdek

Mound Site Landowners – Institutional Controls Compliance Form - 2019

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.

- 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:

Date: 4/29/19 Property Owner: Dyrdek

Mound Site Landowners – Institutional Controls Compliance Form - 2019

- 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.
- 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.

Matt Williams [Signature] 4/29/19
Printed Name Signature Date

General Manager The Sovereign Sect
Title Company

Please return the signed form within 15 days via mail or email. If you have any questions, please contact

Susan Smiley
Mound Site Manager
U.S. Department of Energy
Office of Legacy Management
10995 Hamilton-Cleves Highway
Harrison, OH 45030-9728
sue.smiley@lm.doe.gov or at (513) 648-3333.

Date: 5/2/19 Property Owner: Jen Skyline

Mound Site Landowners – Institutional Controls Compliance Form - 2019

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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Please complete the following questionnaire for the period of April 2018 to April 2019 and return to DOE LM within 15 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 EPA, 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.

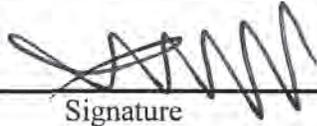
- 3) **Limit land use to industrial/commercial use only**. The Record of Decision for each parcel identifies land uses that will not be permitted, but the list is not all-inclusive. Parcels may not be used for any residential or farming activities, or any activities that could result in the chronic exposure 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:

Date: 5/2/19 Property Owner: Jen Skyline

Mound Site Landowners – Institutional Controls Compliance Form - 2019

- 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.
- 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.

Albert Macanlian  5/2/19
Printed Name Signature Date

President Jen Skyline Inc.
Title Company

Please return the signed form within 15 days via mail or email. If you have any questions, please contact

Susan Smiley
Mound Site Manager
U.S. Department of Energy
Office of Legacy Management
10995 Hamilton-Cleves Highway
Harrison, OH 45030-9728
sue.smiley@lm.doe.gov or at (513) 648-3333.

Date: April 14 2019

Property Owner: Kierston Olivia LLC

Mound Site Landowners – Institutional Controls Compliance Form - 2019

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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Please complete the following questionnaire for the period of April 2018 to April 2019 and return to DOE LM within 15 days.

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- 1) **Prohibit the removal of soil** from the original DOE Mound Plant Property boundaries, unless prior written approval from EPA, 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:
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 - Daycare facilities.
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 - 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:

Date: April 16, 2019 Property Owner: Kierston Olivia LLC

Mound Site Landowners – Institutional Controls Compliance Form - 2019

- 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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- 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.

Clayton R Luckie Clayton R Luckie April 16 2019
Printed Name Signature Date

Manager Kierston Olivia LLC
Title Company

Please return the signed form within 15 days via mail or email. If you have any questions, please contact
Susan Smiley
Mound Site Manager
U.S. Department of Energy
Office of Legacy Management
10995 Hamilton-Cleves Highway
Harrison, OH 45030-9728
sue.smiley@lm.doe.gov or at (513) 648-3333.

Date: 4/30/19 Property Owner:

Mound Site Landowners – Institutional Controls Compliance Form - 2019

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

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 - 3a) Did any of these restricted uses occur on your property within the past year? Yes No .
 - 3b) If yes, please provide an explanation:

Date: 4/30/19 Property Owner:

Mound Site Landowners – Institutional Controls Compliance Form - 2019

- 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.
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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.

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

Eric A. Cluxton *Eric A. Cluxton* 4/30/19
Printed Name Signature Date

President Mound Dev. Corp
Title Company

Please return the signed form within 15 days via mail or email. If you have any questions, please contact

Susan Smiley
Mound Site Manager
U.S. Department of Energy
Office of Legacy Management
10995 Hamilton-Cleves Highway
Harrison, OH 45030-9728
sue.smiley@lm.doe.gov or at (513) 648-3333.

Date: April 24, 2019 Property Owner: Mound Research

Mound Site Landowners – Institutional Controls Compliance Form - 2019

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.

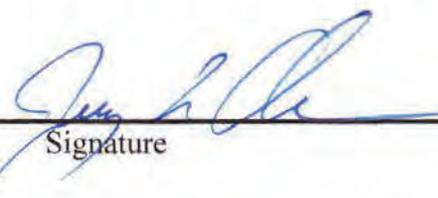
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 - Schools or other educational facilities for children less than 18 years of age.
 - Community centers, playgrounds, or other recreational or religious facilities for children less than 18 years of age.
 - 3a) Did any of these restricted uses occur on your property within the past year? Yes No .
 - 3b) If yes, please provide an explanation:

Date: April 24, 2019 Property Owner: Mound Research

Mound Site Landowners – Institutional Controls Compliance Form - 2019

- 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
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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.

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

<u>Jerry L Abner</u> Printed Name	 Signature	<u>April 24, 2019</u> Date
<u>Owner</u> Title	<u>MOUND Research</u> Company	

Please return the signed form within 15 days via mail or email. If you have any questions, please contact

Susan Smiley
Mound Site Manager
U.S. Department of Energy
Office of Legacy Management
10995 Hamilton-Cleves Highway
Harrison, OH 45030-9728
sue.smiley@lm.doe.gov or at (513) 648-3333.

Date: 04.01.2019 Property Owner: S. THOMAS PATRIOT COMMUNICATIONS

Mound Site Landowners – Institutional Controls Compliance Form - 2019

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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 NA
 - 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:
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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:

Date: 4/11/19

Property Owner: Pinnacle Architects, Inc.

Mound Site Landowners – Institutional Controls Compliance Form - 2019

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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:

Date: 4/11/19 Property Owner: Pinnacle Architects, Inc.

Mound Site Landowners – Institutional Controls Compliance Form - 2019

- 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.
- 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.

FERO EUTNAKA [Signature] 4/11/19
Printed Name Signature Date

PRESIDENT PINNACLE ARCHITECTS, INC.
Title Company

Please return the signed form within 15 days via mail or email. If you have any questions, please contact
Susan Smiley
Mound Site Manager
U.S. Department of Energy
Office of Legacy Management
10995 Hamilton-Cleves Highway
Harrison, OH 45030-9728
sue.smiley@lm.doe.gov or at (513) 648-3333.

Date: 3/26/2019 Property Owner: GoKeyless

Mound Site Landowners – Institutional Controls Compliance Form - 2019

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 April 2018 to April 2019 and return to DOE LM within 15 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 EPA, 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:

Date: 7/24/19

Property Owner: Sharpstone Investment Properties, LLC
GoKeyless

Mound Site Landowners – Institutional Controls Compliance Form - 2019

- 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.
- 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.

Joshua Stamps [Signature] 3/28/2019
 Printed Name Signature Date

Managing Partner 21st Century Solutions DBA GoKeyless
 Title Company

Please return the signed form within 15 days via mail or email. If you have any questions, please contact

Susan Smiley
 Mound Site Manager
 U.S. Department of Energy
 Office of Legacy Management
 10995 Hamilton-Cleves Highway
 Harrison, OH 45030-9728
 sue.smiley@lm.doe.gov or at (513) 648-3333.

Date: April 16, 2019 Property Owner: TWS Properties LLC - The Woodworking Shop

Mound Site Landowners – Institutional Controls Compliance Form - 2019

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 April 2018 to April 2019 and return to DOE LM within 15 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 EPA, 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:

Date: April 16, 2019 Property Owner: TWS Properties LLC - The Woodworking Shop

Mound Site Landowners – Institutional Controls Compliance Form - 2019

- 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.
- 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.

Mark Sams Mark Sams 4-16-19
Printed Name Signature Date

Owner The Woodworking Shop LLC
Title Company

Please return the signed form within 15 days via mail or email. If you have any questions, please contact
Susan Smiley
Mound Site Manager
U.S. Department of Energy
Office of Legacy Management
10995 Hamilton-Cleves Highway
Harrison, OH 45030-9728
sue.smiley@lm.doe.gov or at (513) 648-3333.

Appendix B
Property Information

Appendix B Contents

1. Current—Table B-1. Mound Site Building Identifications, Street Addresses, Ownership, County Parcels
2. History—Table B-2. Mound Site Buildings Demolished by MDC
3. Property Records—Table B-3. Mound Site Property Data Based on Montgomery County Real Estate Website April 30, 2019
4. QC Deed 18-00045893 City of Miamisburg transferred OSE parking lot parcel back to MDC
5. LW Deed 18-00045894 MDC sold OSE Building and parking lot parcels to Pinnacle Architects
6. QC Deed 18-00064591 LM transferred T Building parcel to MDC
7. LW Deed 18-00064592 MDC sold T Building parcel to Patriot Communications LLC
8. QC Deed 18-00076268 MDC transferred Flex Building parcel, Excelitas parcel, and small parcel north of OSW to the City of Miamisburg
9. LW Deed 19-00015160 MDC sold Building 105 to TWS Properties LLC – The Woodworking Shop
10. QC Deed 2019 00020278 City of Miamisburg transferred Excelitas parcel back to MDC
11. Plat 2018-00052009 MDC replatted Section 4 that created new T Building parcel
12. Draft Plat April 2019 MDC created a draft replat of Section 5 – balance of property

Table B-1. Mound Site Building Identifications, Street Addresses, Ownership, County Parcels

DOE Building ID	Former DOE Building Descriptions	Current Building Occupant	Current Miamisburg Street Address	DOE ROD Parcel ID	Property Owner	County Parcel ID
45	Health Physics Calibration Facility	ISS-Unlimited	930 Capstone Drive	6	Kierston Olivia LLC	K46 01507 0045
61	Logistical Support Warehouse	Advanced Service Technologies	885 Mound Road	7 & 8	Mound Research LLC	K46 01507 0046
3	TF area Destructive and Environmental Testing Laboratory	Excelitas Technologies Corp	1100 Vanguard Blvd.	IB	MDC	K46 01507 0032
87	Explosive Testing Building					
100	Training and Offices	Alien Workshop	790 Enterprise Court	D	Dyrdek	K46 01507 0031
102	Offices, Process Support Building	Mound Cold War Discovery Center	1075 Mound Road	IA	MDC	K46 01507 0029
105	Parts Machining	The Woodworking Shop LLC	1195 Mound Road	D	TWS Properties LLC	K46 01507 0030
126	PST Administrative Building	GoKeyless	955 Mound Road	(6A & 7) Tracts 1 and 2	Sharpstone Investment Properties LLC	K46 00501 0017 K46 00501 0018
COS	Central Operational Support	MDC, Excelitas, Mound Technical Solutions, Precision Joining Technologies, Inorganic Specialists, West Rock, Technology Group LLC	965 Capstone Drive	8	LM	K46 00503 0013
OSE	Operational Support East	Pinnacle Architects Inc.	480 Vantage Point	3 & 6	Pinnacle Architects Inc.	K46 00503 0033 K46 01507 0043
OSW	Operational Support West	Montgomery County Consolidated Dispatch Center (911 Center)	460 Vantage Point	6 & 8	Jen Skyline Inc.	K46 00503 0031
T	Technical Building	Patriot Communications LLC	945 Capstone Drive	8	Patriot Communications LLC	K46 00501 0019
80-84	Magazines	Used by Excelitas, east of OU-1	None	IB	MDC	K46 01507 0032
SST	Salt storage structure in former RCRA burn area	Empty	None	IB	City	K46 01507 0039
16	Trailers	LM area in Parcel 9 OU-1 area	1275 Vanguard Blvd.	9	LM	K46 01109 0001
300	Building					

Table B-1. Mound Site Building Identifications, Street Addresses, Ownership, County Parcels (continued)

DOE Building ID	Former DOE Building Descriptions	Current Building Occupant	Current Miamisburg Street Address	DOE ROD Parcel ID	Property Owner	County Parcel ID
n/a	MDC Flex Building	Secure Cyber Defense	1390 Vanguard Blvd.	4	City	K46 01507 0040
			1388 Vanguard Blvd. (lighting)	4	City	K46 01507 0040
		Beam Dental	1384 Vanguard Blvd.	4	City	K46 01507 0040
			1380 Vanguard Blvd.	4	City	K46 01507 0040
			1374 Vanguard Blvd.	4	City	K46 01507 0040
	Barge Design Solutions, Inc.	1370 Vanguard Blvd.	4	City	K46 01507 0040	
	Pond at SW entrance of Vanguard Blvd.	Pond area	n/a	Not on Mound site	City	K46 01507 0042
SW corner of site	Includes Mound Business Park sign	n/a	Not on Mound site	City	K46 01507 0041	

Abbreviations:

PST = Power Systems Technologies

TF = Test Fire

Table B-2 lists the buildings demolished by MDC. This information is documented here because these buildings were demolished after the CERCLA remediations were completed, and there are no closeout documents for these demolitions.

Table B-2. Mound Site Buildings Demolished by MDC

DOE Building ID	DOE Building Descriptions	Building Identifier	Date Demolished	DOE ROD Parcel ID
2	Energetic Materials Destructive Testing Facility	In TF area	2011	7
28	Ceramic Production Plastics Development	Former ceramics lab	2013	6
63 and 63W	Surveillance Facility	In TF area	2011	7
GP1	Guard Post-1	In TF area	2006	3
GH	Guard House	Original building, Old Visitor Control, Placement Center	2013	3

Abbreviation:

TF = Test Fire

Table B-3. Mound Site Property Data Based on Montgomery County Real Estate Website April 30, 2019

Parcel ID (PARID)	Parcel Location per 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 Mod 2015-00008913			City of Miamisburg Ohio	Left of main entrance	Parcel H minus road
K46 01507 0037	Vanguard Blvd.	8006 Mound Advanced Technology Center Sec 1	C - Other Commercial Structures	0.8456	201300079430			City of Miamisburg	Parking lot on right top of hill	Parcel 3 minus road
K46 01507 0038	Vantage Pt.	8024 Mound Advanced Technology Center Sec 1	C - Other Commercial Structures	7.8502	201300079430 Mod 2015-00008913			City of Miamisburg	Large parking lot	Parcel H minus road
K46 01507 0039	Vanguard Blvd.	8025 Mound Advanced Technology Center Sec 1-A	C - Other commercial structures	109.4752	201300079430 Mod 2015-00008913			City of Miamisburg	Large area with Parcel 4 and Phase I parts	Parcel 4, Phase IB, IC minus road
K46 01507 0041	Vanguard Blvd.	8027 Mound Advanced Technology Center Sec 1	C - Commercial Vacant Land	2.7833	201300079430 Mod 2015-00008913			City of Miamisburg and Miamisburg Mound Community Improvement Corp	Corner Benner and Rt. 25. Added former City Lot 4782 to Rt. 25	Parcel 4 minus road
K46 01507 0042	Vanguard Blvd.	8028 Mound Advanced Technology Center Sec 1-A	C - Commercial Vacant Land	14.8489	201300079430 Mod 2015-00008913			City of Miamisburg	Pond. Added former city lot 4781 to Rt. 25	Parcel 4 minus road
K46 01507 0044	Capstone Dr.	7996 Mound Advanced Technology Center Sec 1	C - Other Commercial Structures	2.570	201300079430 Plat 17-00036642			City of Miamisburg	Guard house (GH) parking lot	Parcel 3 minus road
K46 00503 0031		8050 Mound Advanced Technology Center Sec 3	1- Industrial, Vacant Land	2.197	Plat 18-00006246 QC 2018-00076268			City of Miamisburg	Lot on hillside north of OSW	Parcel 6, 7, 8
K46 01507 0040	1374 Vanguard Blvd.	8026 Mound Advanced Technology Center Sec 1	C - Commercial Warehouses	4.6975	201300079430 Mod 2015-00008913			City of Miamisburg	Flex Building near Benner and SR 25 SW entrance to site	Parcel 4
Total City				147.4618						

Table B-3. Mound Site Property Data Based on Montgomery County Real Estate Website April 30, 2019 (continued)

Parcel ID (PARID)	Parcel Location per Record	Legal Description	Land Use	Acres	Deed	Sale	Conveyance	Owner per Record	General Location	Applicable ROD
MDC-Owned Property										
K46 01507 0029	Enterprise Ct.	7998 Mound Advanced Technology Center Sec 1	C - Office Building 1-2 Stories	2.3279	2016 00049911			Mound Development Corporation	Bldg. 102 1075 Mound Road Mound Cold War Discovery Center	Phase IA
K46 01507 0032	Vanguard Blvd.	8001 Mound Advanced Technology Center Sec 1	I - Manufacturing & Assembly Medium	10.0802	201300079430			Miamisburg Mound Community Improvement Corp.	Excelitas Old Test Fire area	Phase IB
				Total MDC	12.4592					
Sharpstone Investment Properties LLC–Owned Property (Go Keyless)										
K46 00501 0017	955 Mound Road	2259	C - Office Building 1-2 Stories	5.3500	2016 00071750			Sharpstone Investment Properties LLC GoKeyless	Most of former 6A plus parts of Parcel 7	Parcels 6, 7, and 8
K46 00501 0018	Mound Road	2259	E - Exempt Property Owned by USA	0.2710	2016 00071750			Sharpstone Investment Properties LLC GoKeyless	Part of 6A road front	Parcels 6, 7, and 8
				Total Sharpstone	5.6210					
Dyrdek Group Inc. Owned Property (Alien Workshop)										
K46 01507 0031	790 Enterprise Ct	8000 Mound Advanced Technology Center Sec 1	C - Office Building 1-2 Stories	5.5191	2014 00069587			Dyrdek Group Inc. 2850 Ocean Park Blvd. Ste 300 Santa Monica, CA 90405 Alien Workshop	Bldg. 100	Parcel D minus road
				Total Dyrdek	5.5191					
Kierston Olivia LLC - Owned Property (ISS-Unlimited)										
K46 01507 0045				3.2975	QC 17-00045599 LW 17 00045600			ISS-Unlimited	Bldg. 45	Parcel 6 & 7
				Total Kierston	3.2975					

Table B-3. Mound Site Property Data Based on Montgomery County Real Estate Website April 30, 2019 (continued)

Parcel ID (PARID)	Parcel Location per Record	Legal Description	Land Use	Acres	Deed	Sale	Conveyance	Owner per Record	General Location	Applicable ROD
Mound Research LLC Owned Property (Advanced Service Technologies)										
K46 01507 0046				4.9537	QC 17 00055321 LW 17 00055322			Advanced Service Technologies	Bldg. 61	Parcel D minus road
			Total Mound Research	4.9537						
Jen Skyline Inc. Owned Property (Montgomery County Consolidated Dispatch Center)										
K46 01507 0031				4.50	QC 18 0006246 LW 18 0009417				OSW Bldg.	Parcel D minus road
			Total Jen Skyline	4.50						
Pinnacle Architects Owned Property										
K46 00503 0033				3.833	Plat 18-00006246 QC 18-00006246				OSE 480 Vantage Point	Parcel 6, 7, 8
K46 01507 0043	Capstone Dr.	7997 Mound Advanced Technology Center Sec 1	C - Office Building 1-2 Stories	1.3035	2013000794 Plat 17-0003664230			City of Miamisburg	OSE Bldg. parking lot	Parcel 3 minus road
			Total Pinnacle Property	5.1365						
Patriot Communications Owned Property										
K46 01501 0019				4.26	QC 2018-00064591 LW 2018-00064592				T Building 945 Capstone Drive	Parcel 6, 7, 8
			Total Patriot Property	4.26						
TWS Properties LLC Owned Property (The Woodworking Shop)										
K46 01507 0030	Enterprise Ct.	7999 Mound Advanced Technology Center Sec 1	C - Other Commercial Structures	4.8008	2015 00023825			Mound Development Corporation	Bldg. 105 1195 Mound Road	Parcel D minus road
			Total TWS Property	4.8008						

Table B-3. Mound Site Property Data Based on Montgomery County Real Estate Website April 30, 2019 (continued)

Parcel ID (PARID)	Parcel Location per Record	Legal Description	Land Use	Acres	Deed	Sale	Conveyance	Owner per Record	General Location	Applicable ROD
DOE Owned Property										
K46 00501 0002	Mound Rd	2259PT 5-1-9	E - Exempt Property Owned by USA	5.063 minus plats	01214P00017		(split in 2 plat 2017)	United States %	Most of Parcel 6	Parcels 6, 7, and 8
K46 00501 0016	Mound Rd	2259PT 2290PT, 5-2-30/36	E - Exempt Property Owned by USA	36.9990 minus plats	2012-00082087		DOE HQ to EMCBC	United States Address unknown	Approximately Parcel 7	Parcels 6, 7, and 8
K46 00503 0013	Old Main St	2290PT	E - Exempt Property Owned by USA	64.257 minus plats	01258P00056			United States %	Combo parts of Parcels 6, 8, and 9	Parcels 6, 7, and 8; Parcel 9
K46 00503 0030	Old Main St	2290PT	E - Exempt Property Owned by USA	1.922	2012 0082087			United States	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			Harry Hill Area Manager Dept of Energy Dayton Area PO Box 66 Miamisburg, OH 45343 0066	OU1 area	Parcel 9
K46 01109 0003	Dixie Dr S	4779	E - Exempt Property Owned by USA	1.6000	01258P00074			United States PO Box 271 Wilmington, OH 45177-0271	Former road west of OU1 area	Parcel 9
				Total DOE Property	92.754	Estimated – Using Section 5 draft plat drawing.				
				290.7636	Estimated – Some streets may be excluded. Will reconcile after finalization of Section 5 plat.					
Historical Acreages										
1998 Mound Plant Property 305.116 acres			2005 Beal Survey 305.063 acres				2017 BWSC reconciliation 305.0618 acres			

Notes:

Columns 1–9 taken from County property records and contain some typos/errors. The most current deed numbers were added for completeness. Columns 10 and 11 were added to clarify location.

Tables include recent known sales and transfers that may not be shown on the County property records web page.

Abbreviation:

EMCBC = Environmental Management Consolidated Business Center

Type: Deeds
Kind: DEED
Recorded: 8/6/2018 2:18:14 PM
Fee Amt: \$28.00 Page 1 of 2
Montgomery County, OH
Brandon C. McClain Recorder

TRANSFER
01:58pm AUGUST 06, 2018
KARL L. KEITH, COUNTY AUDITOR
Conv/Tran #: 13551 \$.00

File# 2018-00045893

① **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, having an address of 965 Capstone Drive, P.O. Box 232, Miamisburg, Ohio 45342-0232 ("Grantee"), the following real property:

Situate in the City of Miamisburg, Montgomery County and State of Ohio and being Lot Numbered Eight Thousand Forty-Two (8042) of the Mound Advanced Technology Center Record Plan, Section 2 as recorded in Plat Book 230, Page 24 of the Montgomery County, Ohio records.

PPN: K46 01507 0043

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

THE INTEREST CONVEYED HEREBY IS SUBJECT TO COVENANTS AND RESTRICTIONS FOUND IN THE DEED FROM THE UNITED STATES GOVERNMENT TO MOUND DEVELOPMENT CORPORATION AND RECORDED AS INSTRUMENT NO. 2012-00083743 AND INSTRUMENT NO. 2018-00006246 OF THE DEED RECORDS OF THE MONTGOMERY COUNTY, OHIO RECORDER'S OFFICE AND TO THE MOUND ADVANCED TECHNOLOGY CENTER DECLARATION OF COVENANTS AND RESTRICTIONS RECORDED AS INSTRUMENT NO. 2012-00084258 OF THE DEED RECORDS OF MONTGOMERY COUNTY, OHIO AND AMENDED AT INSTRUMENT NUMBER 201800009416 OF THE DEED RECORDS OF MONTGOMERY COUNTY OHIO.

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.

2

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.

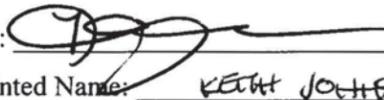
THE INTEREST CONVEYED HEREBY IS ALSO SUBJECT TO COVENANTS AND RESTRICTIONS FOUND IN THE FOLLOWING DEEDS FROM THE UNITED STATES GOVERNMENT:

Deeds recorded in the Montgomery County, Ohio Recorder's Office as follows:

- 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

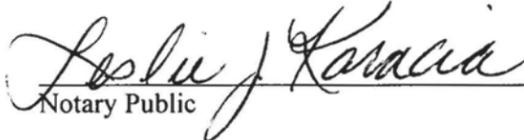
Executed this 31st day of July, 2018.

CITY OF MIAMISBURG, OHIO
an Ohio municipal corporation

By: 
Printed Name: KEITH JOHNSON
Title: CITY MANAGER

STATE OF OHIO, COUNTY OF MONTGOMERY, SS:

The foregoing instrument was acknowledged before me this 31st day of July, 2018, by Keith Johnson, the City Manager of the City of Miamisburg, Ohio, an Ohio municipal corporation, on behalf of said municipal corporation.


Notary Public

This instrument prepared by:
Shannon L. Costello, Esq.
Coolidge Wall Co., L.P.A.
33 West First Street, Suite 600
Dayton, Ohio 45402
001969\00650\00957597.docx



LESLIE J. KARACIA, Notary Public
In and for the State of Ohio
My Commission Expires ~~June 16, 2018~~
Nov. 12, 2020

CHICAGO TITLE COMPANY, LLC
1 S. MAIN STREET, SUITE 250³
DAYTON, OHIO 45402 -38180245-00

Type: DEE
Kind: DEED
Recorded: 08/06/2018 02:18:44 PM
Fee Amt: \$36.00 Page 1 of 3
Montgomery County, OH
Brandon C. McClain County Recorder
File# 2018-00045894

TRANSFER
02:04pm AUGUST 06, 2018
KARL L. KEITH, COUNTY AUDITOR
Conv/Tran #: 13552 \$975.00

② **LIMITED WARRANTY DEED**
(Ohio Statutory Form)

MOUND DEVELOPMENT CORPORATION, an Ohio not-for-profit corporation ("Grantor"), for valuable consideration paid, grants with limited warranty covenants to **PINNACLE ARCHITECTS, INC.**, an Ohio corporation, having a tax-mailing address of 480 Vantage Pointe, Miamisburg, Ohio 45342 ("Grantee"), the following real property:

Situate in the City of Miamisburg, Montgomery County and State of Ohio and being Lot Numbered Eight Thousand Forty-Two (8042) of the Mound Advanced Technology Center Record Plan, Section 2 as recorded in Plat Book 230, Page 24 of the Montgomery County, Ohio records.

PPN: K46 01507 0043

Situate in the City of Miamisburg, Montgomery County and State of Ohio and being Lot Numbered 8052 of the Mound Advanced Technology Center Record Plan, Section 3 as recorded in Plat Book 231, Page 9 of the Montgomery County, Ohio records.

PPN: K46 00503 0033

PRIOR DEED REFERENCE: Instrument No. 2018-45893 and 2018-00006246 of the Montgomery County, Ohio Deed Records.

THE INTEREST CONVEYED HEREBY IS SUBJECT TO COVENANTS AND RESTRICTIONS FOUND IN THE DEED FROM THE UNITED STATES GOVERNMENT TO MOUND DEVELOPMENT CORPORATION AND RECORDED AS INSTRUMENT NO. 2012-00083743 AND INSTRUMENT NO. 2018-00006246 OF THE DEED RECORDS OF THE MONTGOMERY COUNTY, OHIO RECORDER'S OFFICE AND TO THE MOUND ADVANCED TECHNOLOGY CENTER DECLARATION OF COVENANTS AND RESTRICTIONS RECORDED AS INSTRUMENT NO. 2012-00084258 OF THE DEED RECORDS OF MONTGOMERY COUNTY, OHIO AND AMENDED AT INSTRUMENT NUMBER 201800009416 OF THE DEED RECORDS OF MONTGOMERY COUNTY OHIO.

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. 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.

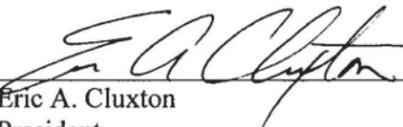
THE INTEREST CONVEYED HEREBY IS ALSO SUBJECT TO COVENANTS AND RESTRICTIONS FOUND IN THE FOLLOWING DEEDS FROM THE UNITED STATES GOVERNMENT:

Deeds recorded in the Montgomery County, Ohio Recorder's Office as follows:

- 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

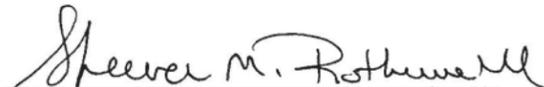
Executed this 1st day of August, 2018.

MOUND DEVELOPMENT CORPORATION,
an Ohio not-for-profit corporation

By: 
Eric A. Cluxton
President

STATE OF OHIO, COUNTY OF MONTGOMERY, SS:

The foregoing instrument was acknowledged before me this 1st day of August, 2018, by Eric A. Cluxton, the President of Mound Development Corporation, an Ohio not-for-profit corporation, on behalf of said not-for-profit corporation.


Notary Public

This instrument prepared by:
Shannon L. Costello, Esq.
Coolidge Wall Co., L.P.A.
33 West First Street, Suite 600
Dayton, Ohio 45402
001969\00650\00957597.docx v4



SHEENA M ROTHWELL, Notary Public
In and for the State of Ohio
My Commission Expires Dec. 1, 2018

CHICAGO TITLE COMPANY, LLC
1 S. MAIN STREET, SUITE 250
DAYTON, OHIO 45402 -38180245-00

Montgomery County, Ohio Recorder - Brandon C McClain



Guest User

Document Details

Inst Number	Index Type	Document Type	Legal Description	Date Filed	Amount	Images
2018-00045894	Deeds	DEED		08/06/2018	\$325,000.00	

Returned To	Address	Address (2)	City	State	ZIP
CHICAGO TITLE	BOX				

GRANTORS	GRANTEES
MOUND DEVELOPMENT CP	PINNACLE ARCHITECTS INC

Property Information
MIAMISBURG Lot:8042 Conveyance #: 2018-13552

© 2007 - 2018 Cott Systems, Inc.
Version 1.6.22.1

Type: Deeds
Kind: DEED
Recorded: 11/1/2018 3:40:41 PM
Fee Amt: \$52.00 Page 1 of 5
Montgomery County, OH
Brandon C. McClain Recorder

TRANSFER
03:28pm NOVEMBER 01, 2018
KARL L. KEITH, COUNTY AUDITOR
Conv/Tran #: 19166 \$.00

File# 2018-00064591

 **QUIT CLAIM DEED**

The UNITED STATES OF AMERICA, acting by and through the Secretary of the Department of Energy (hereinafter sometimes called "Grantor"), under and pursuant to the authority of the Atomic Energy Act of 1954, Section 161 (g) (42 U.S.C. §2201(g)), in consideration of the covenants contained herein, and other good and valuable consideration, duly paid by the Mound Development Corporation, a not-for-profit corporation subsisting under the laws of Ohio and recognized by the Secretary of Energy as the agent for the community wherein the former Mound Facility is located (hereinafter sometimes called "Grantee"), the receipt of which is hereby acknowledged, hereby QUIT CLAIMS unto Grantee, its successors and assigns, subject to the reservations, covenants, and conditions hereinafter set forth, all of its right, title and interest, together with all improvements thereon and appurtenances thereto, the following described real property (the "Premises"), being a portion of the property commonly referred to as Parcel 8:

Situate in Sections 30 and 36, Town 2, Range 5, M.R.S., City of Miamisburg, Montgomery County, Ohio and being Lot Numbered 8058 of the Mound Advanced Technology Center Record Plan Section 4 as recorded in Plat Book 232, Page 26 of the Montgomery County, Ohio records.
and 26A

Parcel I.D. No.: K46 00501 0019

Prior Deed Reference: Deed Book 1214, Page 12 and Deed Book 1246, Page 45
of the deed records of the Montgomery County, Ohio
Recorder's office

SUBJECT TO an easement hereby granted, upon or across the Premises, in connection with the covenants of Grantor and/or Grantee in paragraphs numbered 1.1-1.3, 3.2 and 3.3 of this Deed and as otherwise needed for purposes of any response action as defined under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended, including but not limited to, environmental investigation or remedial action on the Premises or on property in the vicinity thereof, including the right of access to, and use of, to the extent permitted by applicable law, utilities at reasonable cost, to the State of Ohio, acting by and

Page 1 of 6

- 1.1(a) Excepting those soils in an area approximately 40 feet wide and bounded on the east by the centerline of Mound Road, 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, page 45; Deed Book 1258, pages 56 and 74; 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 "Parcels 6, 7 and 8 Environmental Summary, Notices of Hazardous Substances, Mound Plant, Miamisburg, Ohio dated August 2010", which can be found in an Exhibit to Instrument Number 2012-00083743 of the Deed Records of Montgomery County, Ohio), without prior written approval from ODH, Ohio EPA, and USEPA, or successor agencies.
- (b) Grantee covenants, in regard to the structure known as "T Building" as shown in Exhibit A attached hereto, that for areas 1C-06 (corridor 39), 1C-07, 1C-08, 1C-09, 1C-11, 1C-12, 1C-15, 1C-16, 1S-10 and SYS-02A/B/C, Grantee shall not remove concrete floor material to a location outside that specified in paragraph 1.1(a) without the approval of USEPA or Ohio EPA, and for areas 1C-10 and 1C-21, Grantee shall take no action that causes a penetration in the concrete floor of those areas without the prior approval of USEPA and Ohio EPA. The specified areas mentioned above are on the first floor of T Building and are designated in the T Building drawing in Exhibit A hereto. T Building is a five-story structure, entirely underground, located at and about Latitude N 39°37'48.75" and Longitude W 84°17'13.65" depicted in a diagram and photographs in Exhibit A. Ground level at the top of T Building is at an approximate elevation of 872' AMSL.
- 1.2 Grantee covenants not to use, or allow the use of the Premises, for any residential or farming activities, or any other activities which could result in the chronic exposure of children under eighteen years of age to soil or groundwater from the Premises. Restricted uses shall include, but not be limited to:
- (1) single or multi-family 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 or religious facilities for children under eighteen years of age.

The United States Department of Energy or its successor agency shall be contacted to resolve any questions which may arise as to whether a particular activity would be considered a restricted use.

- 1.3 Grantee covenants not to extract, consume, expose, or use in any way the groundwater underlying the premises without the prior written approval of the United States Environmental Protection Agency (Region V) and the OEPA.

GRANTEE ACKNOWLEDGES THE NOTIFICATIONS STATED IN THAT AFFIDAVIT BY THE U.S. DEPARTMENT OF ENERGY RECORDED AT DEED MICROFICHE NO. 90-616D02 OF THE LAND RECORDS OF MONTGOMERY COUNTY, OHIO.

THE INTEREST CONVEYED HEREBY IS FURTHER SUBJECT TO THE MOUND ADVANCED TECHNOLOGY CENTER DECLARATION OF COVENANTS AND RESTRICTIONS RECORDED AS INSTRUMENT NO. 2012-00084258 OF THE DEED RECORDS OF MONTGOMERY COUNTY, OHIO AND AMENDED AT INSTRUMENT NUMBER 20180009416 OF THE DEED RECORDS OF MONTGOMERY COUNTY OHIO, AS THE SAME MAY BE FURTHER AMENDED HEREAFTER.

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. 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.

THE INTEREST CONVEYED HEREBY IS ALSO SUBJECT TO COVENANTS AND RESTRICTIONS FOUND IN THE FOLLOWING DEEDS FROM THE UNITED STATES GOVERNMENT:

Deeds recorded in the Montgomery County, Ohio Recorder's Office as follows:

- Deed Recorded December 21, 1999 at Microfiche No. 99-852B05 and Re-Recorded November 22, 2002 at Instrument No. 200200146503
- Deed Recorded December 21, 1999 at Microfiche No. 99-852B11 and Re-Recorded November 22, 2002 at Instrument No. 200200146504
- Deed Recorded October 17, 2002 at Deed 200200128007
- Deed Recorded October 18, 2002 at Deed 200200128206
- Deed Recorded February 24, 2009 at Deed 200900011643
- Deed Recorded January 24, 2012 at Deed 201200004722
- Deed Recorded December 19, 2012 at Deed 201200083743

Grantor reserves to itself, its successors and assigns forever, for the benefit of Grantor's real property situated adjacent to the Premises to the north, south and west a permanent, non-exclusive access easement over, above and across the Premises in the area of the existing walk-way located at the Premises so as to provide access between the existing parking lot situated to the north of the Premises and Grantor's real property located to the south of the Premises, which is commonly known as 965 Capstone Drive, Miamisburg, Ohio 45342.

3

IN WITNESS WHEREOF, the United States of America, acting by and through its Secretary of the Department of Energy, has caused these presents to be executed this 27th day of September, 2018.

UNITED STATES OF AMERICA

By: [Signature]
Budmir Sokolovich
Asset Manager and LM-13 Asset
Management Team Lead
United States Department of Energy
Office of Legacy Management

State of Colorado)
County of Jefferson) SS:

Before me, a Notary Public in and for said State and County, appeared this 27th day of September, 2018, Budmir Sokolovich, who acknowledged that he is the Asset Manager and LM-13 Asset Management Team Lead for the United States Department of Energy Office of Legacy Management, with full authority to execute the foregoing on behalf of the United States of America, and who acknowledged the above to be his signature and his free act and deed.

SEAL
KATHERINE KOETT
Notary Public
State of Colorado
Notary ID # 20074027594
My Commission Expires 07-17-2019

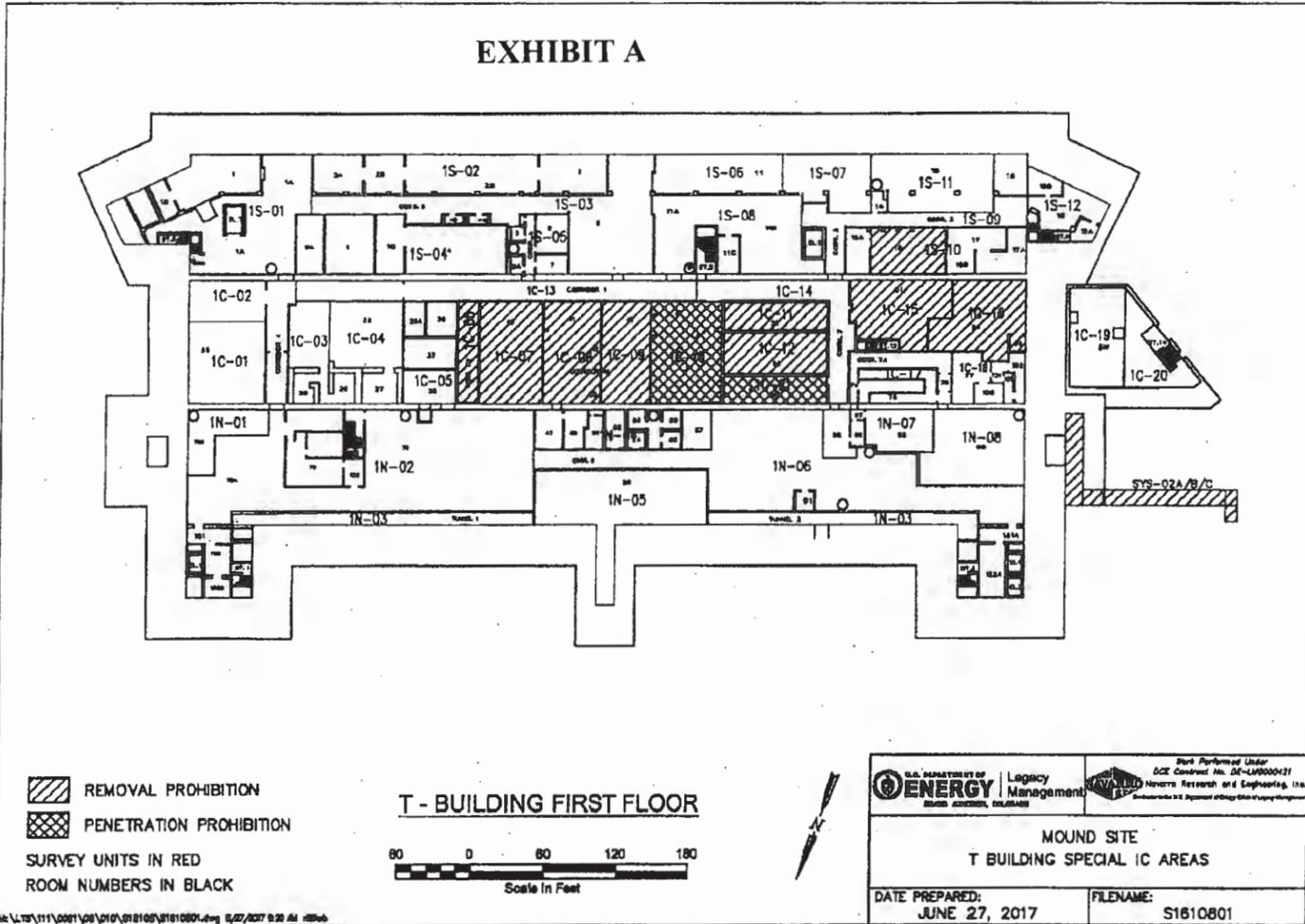
[Signature]
Notary Public

Prepared by:
Randolph T. Tormey, Esq.
250 E. 5th Street, Ste 500
Cincinnati, OH 45202
(513) 246-0583
OH Atty. Regis. 0007803

38120299

001969\00649\00965578.docx-3

EXHIBIT A



Type: DEE
Kind: DEED
Recorded: 11:01:2018 03:42:28 PM
Fee Amt: \$68.00 Page 1 of 7
Montgomery County, OH
Brandon C. McClain County Recorder
File# 2018-00064592

TRANSFER
03:32pm NOVEMBER 01, 2018
KARL L. KEITH, COUNTY AUDITOR
Conv/Tran #: 19171 \$225.00

② LIMITED WARRANTY DEED
(Ohio Statutory Form)

MOUND DEVELOPMENT CORPORATION, an Ohio not-for-profit corporation (“Grantor”), for valuable consideration paid, grants with limited warranty covenants to **PATRIOT COMMUNICATIONS LLC**, an Ohio limited liability company, having a tax-mailing address of 945 Capstone Drive, Miamisburg, OH 45342 (“Grantee”), the following real property (the “Premises”):

Situate in Sections 30 and 36, Town 2, Range 5, M.R.S., City of Miamisburg, Montgomery County, Ohio and being Lot Numbered 8058 of the Mound Advanced Technology Center Record Plan Section 4 as recorded in Plat Book 232, Page 26 of the Montgomery County, Ohio records. and 26A

Parcel I.D. No.: K46 00501 0019

PRIOR DEED REFERENCE: Instrument No. 2018- 64591 of the Montgomery County, Ohio Deed Records.

Subject to legal highways, building, zoning and other ordinances, statutes and legal requirements, the lien of real estate taxes and assessments not yet due and payable and covenants, conditions, restrictions and easements of record, including without limitation, those referenced below.

THE INTEREST CONVEYED HEREBY IS SUBJECT TO THOSE TERMS, COVENANTS AND RESTRICTIONS FOUND IN THE ABOVE-REFERENCED DEED FROM THE UNITED STATES GOVERNMENT TO MOUND DEVELOPMENT CORPORATION, WHICH INCLUDES WITHOUT LIMITATION, THE BELOW TERMS, COVENANTS AND RESTRICTIONS. BY GRANTEE’S ACCEPTANCE OF THIS DEED, GRANTEE AGREES TO SUCH TERMS, COVENANTS AND RESTRICTIONS.

1. The following terms, restrictions and covenants shall run with the land and be binding upon the Grantee and its successors, transferees, and assigns or any other person acquiring an interest in the Premises, for the benefit of the United States of America, the United States Environmental Protection Agency (“USEPA”) and the State of Ohio, acting by and through the Director of Ohio Environmental Protection Agency (“Ohio EPA” or “OEPA”) or the Ohio Department of Health (“ODH”), their successors and assigns.

JT

through the Director of the Ohio Environmental Protection Agency (OEPA) or the Ohio Department of Health (ODH), their successors and assigns. Grantee understands that any such response action will be conducted in a manner so as to attempt to minimize interfering with the ordinary and reasonable use of the Premises;

RESERVING unto Grantor, the United States of America, acting by and through the U.S. Dept. of Energy (DOE) and/or the U.S. Environmental Protection Agency (USEPA), their successors and assigns, an easement to, upon or across the Premises in connection with the covenants of Grantor and/or Grantee in paragraphs numbered 1.1-1.3, 3.2 and 3.3 of this Deed and as otherwise needed for purposes of any response action as defined under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended, including but not limited to, environmental investigation or remedial action on the Premises or on property in the vicinity thereof, including the right of access to, and use of, to the extent permitted by applicable law, utilities at reasonable cost to Grantor. Grantee understands that any such response action will be conducted in a manner so as to attempt to minimize interfering with the ordinary and reasonable use of the Premises.

In connection with this conveyance, Grantor shall hold harmless and indemnify Grantee and any successor, assignee, transferee, lender or lessee of a person or entity that acquires ownership or control of any portion of the Premises, according to the provisions of 50 USCS § 2811(b), and as limited by the scope, purposes and conditions contained in 50 USCS § 2811, against any claim for injury to a person or property that results from the release or threatened release of a hazardous substance or pollutant or contaminant as a result of Department of Energy activities on the area commonly known as the former Mound Facility including but not limited to the Premises. This covenant shall run with the land.

This Deed and conveyance is made and accepted without warranty of any kind, either expressed or implied, except for the indemnity of 50 USCS § 2811(b) and the warranty in paragraph 3.3 of this Deed, and is expressly made under and subject to all reservations, restrictions, rights, covenants, easements, licenses, and permits, whether or not of public record, to the extent that the same affect the Premises.

1. The parties hereto intend the following restrictions and covenants to run with the land and to be binding upon the Grantee and its successors, transferees, and assigns or any other person acquiring an interest in the Premises, for the benefit of Grantor, USEPA and the State of Ohio, acting by and through the Director of OEPA or ODH, their successors and assigns.

1.1(a) Excepting those soils in an area approximately 40 feet wide and bounded on the east by the centerline of Mound Road, 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, page 45; Deed Book 1258, pages 56 and 74; 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 "Parcels 6, 7 and 8 Environmental Summary, Notices of Hazardous Substances, Mound Plant, Miamisburg, Ohio dated August 2010", which can be found in an Exhibit to Instrument Number 2012-00083743 of the Deed Records of Montgomery County, Ohio), without prior written approval from ODH, OEPA, and USEPA, or successor agencies.

- (b) Grantee covenants, in regard to the structure known as "T Building" as shown in Exhibit A attached hereto, that for areas 1C-06 (corridor 39), 1C-07, 1C-08, 1C-09, 1C-11, 1C-12, 1C-15, 1C-16, 1S-10 and SYS-02A/B/C, Grantee shall not remove concrete floor material to a location outside that specified in paragraph 1.1(a) without the approval of USEPA or Ohio EPA, and for areas 1C-10 and 1C-21, Grantee shall take no action that causes a penetration in the concrete floor of those areas without the prior approval of USEPA and Ohio EPA. The specified areas mentioned above are on the first floor of T Building and are designated in the T Building drawing in Exhibit A hereto. T Building is a five-story structure, entirely underground, located at and about Latitude N 39°37'48.75" and Longitude W 84°17'13.65" depicted in a diagram and photographs in Exhibit A. Ground level at the top of T Building is at an approximate elevation of 872' AMSL.

- 1.2 Grantee covenants not to use, or allow the use of the Premises, for any residential or farming activities, or any other activities which could result in the chronic exposure of children under eighteen years of age to soil or groundwater from the Premises. Restricted uses shall include, but not be limited to:

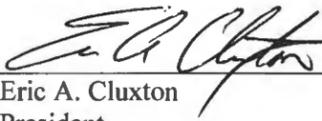
- (1) single or multi-family dwellings or rental units;
- (2) day care facilities;
- (3) schools or other educational facilities for children under eighteen years of age; and
- (4) community centers, playgrounds, or other recreational or religious facilities for children under eighteen years of age.

The United States Department of Energy or its successor agency shall be contacted to resolve any questions which may arise as to whether a particular activity would be considered a restricted use.

- 1.3 Grantee covenants not to extract, consume, expose, or use in any way the groundwater underlying the premises without the prior written approval of the United States Environmental Protection Agency (Region V) and the OEPA.
2. The Grantor hereby grants to the State of Ohio and reserves and retains for itself, its successors and assigns an irrevocable, permanent, and continuing right to enforce the covenants of this Quit Claim Deed through proceedings at law or in equity, including resort to an action for specific performance, as against and at the expense of Grantee, its successors and assigns, including reasonable legal fees, and to prevent a violation of, or recover damages from a breach of, these covenants, or both. Any delay or forbearance in enforcement of said restrictions and covenants shall not be deemed to be a waiver thereof.
3. Pursuant to Section 120(h)(3) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (42 U.S.C. §9620(h)(3)), the following is notice of hazardous substances, the description of any remedial action taken, and a covenant concerning the Premises.
 - 3.1 **Notice of Hazardous Substance:** Grantor has made a complete search of its files and records concerning the Premises. Those records indicate that the hazardous substances described in an Exhibit to Instrument Number 2012-00083743 of the Deed Records of Montgomery County, Ohio, have been stored for one year or more or disposed of on the Premises and said Exhibit also shows the dates that such storage/disposal took place.
 - 3.2 **Description of Remedial Action Taken:** Institutional Controls are established. The Institutional Controls are set forth as covenants in Sections 1.1, 1.2, and 1.3 of this Deed.
 - 3.3 **Covenant:** Grantor covenants and warrants that all remedial action necessary for the protection of human health and the environment with respect to any hazardous substances remaining on the property has been taken, and any additional remedial action found to be necessary after the date of this Deed regarding hazardous substances existing prior to the date of this Deed shall be conducted by Grantor, provided, however, that the foregoing covenant shall not apply in any case in which the presence of hazardous substances on the property is due to the activities of Grantee, its successors, assigns, employees, invitees, or any other person subject to Grantee's control or direction.
4. Unless otherwise specified, all the covenants, conditions, and restrictions to this Deed shall be binding upon, and shall inure to the benefit of, the assigns of Grantor and the successors and assigns of Grantee.

Executed this 26 day of October, 2018.

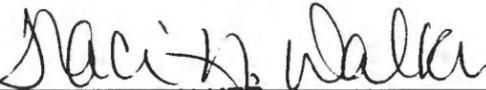
MOUND DEVELOPMENT CORPORATION
an Ohio not-for-profit corporation

By: 
Eric A. Cluxton
President

STATE OF OHIO, COUNTY OF MONTGOMERY, SS:

The foregoing instrument was acknowledged before me this 26 day of October, 2018, by Eric A. Cluxton, the President of Mound Development Corporation, an Ohio not-for-profit corporation, on behalf of said not-for-profit corporation.




TRACI H. WALKER
Notary Public
Notary Public, State of Ohio
My Commission Expires
July 6, 2022

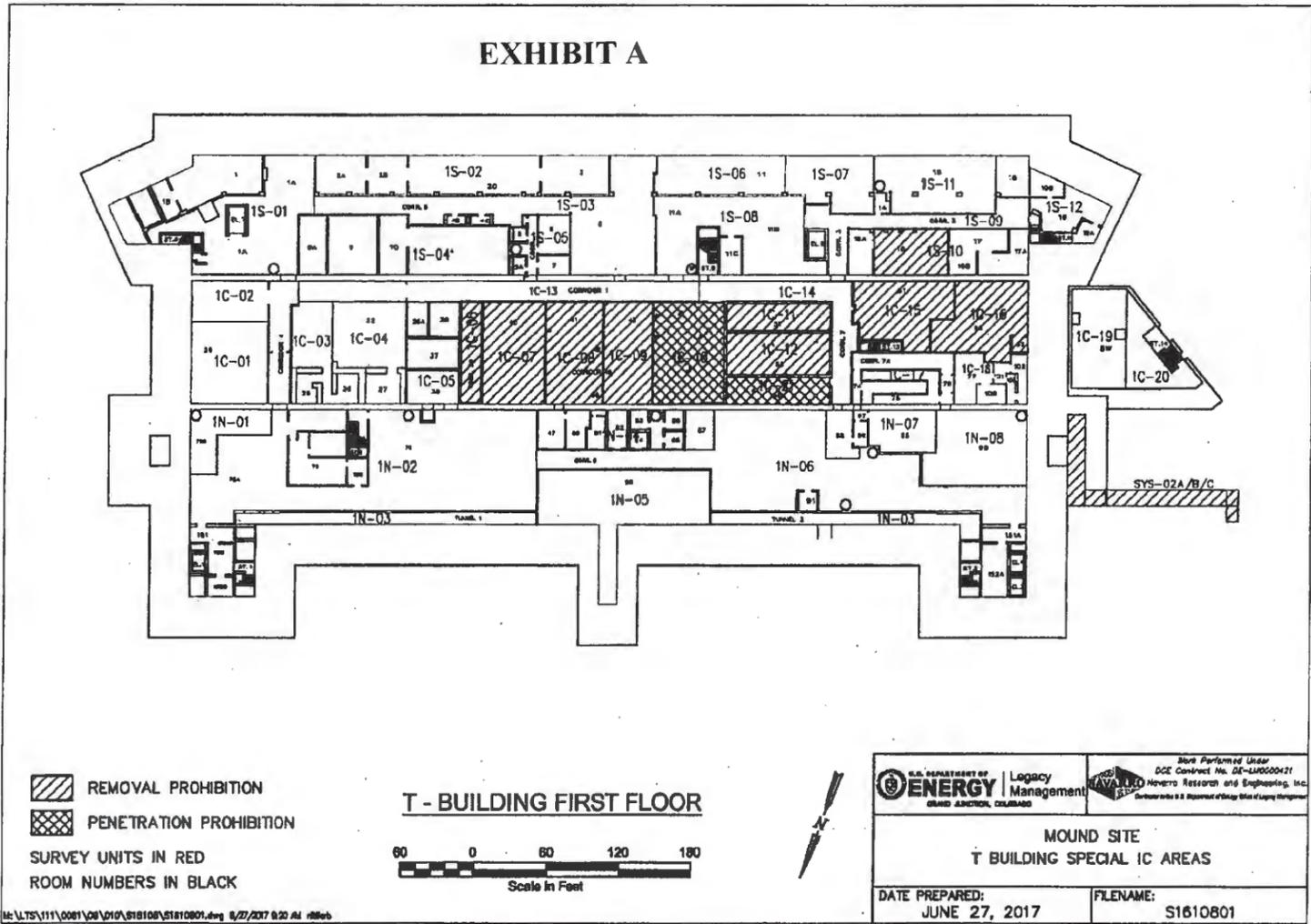
This instrument prepared by
Shannon L. Costello, Esq.
Coolidge Wall Co., L.P.A.
33 West First Street, Suite 600
Dayton, Ohio 45402
w:\wdox\client\001969\00649\00965587.docx-4

38180299
250

EXHIBIT A

T Building

EXHIBIT A



Type: Deeds
Kind: DEED
Recorded: 12/31/2018 12:06:55 PM
Fee Amt: \$36.00 Page 1 of 3
Montgomery County, OH
Brandon C. McClain Recorder

TRANSFER
12:00pm DECEMBER 31, 2018
KARL L. KEITH, COUNTY AUDITOR
Conv/Tran #: 22547 \$.00

File# 2018-00076268

QUIT CLAIM DEED
(Ohio Statutory Form)

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 45343-0232 ("Grantor"), for valuable consideration paid, grants to the **CITY OF MIAMISBURG, OHIO**, an Ohio municipal corporation whose tax mailing address is 10 North First Street, Miamisburg, Ohio 45342 ("Grantee"), the real property described in Exhibit A attached hereto and incorporated herein by reference (collectively referred to in this Deed as the "Property").

PRIOR DEED REFERENCE: Deed Book 1214, Page 347, Deed Microfiche No. 81-376A01 and Instrument No. 2018-00006246 of the Montgomery County, Ohio Deed Records.

THE INTEREST CONVEYED HEREBY IS SUBJECT TO THE MOUND ADVANCED TECHNOLOGY CENTER DECLARATION OF COVENANTS AND RESTRICTIONS RECORDED AS INSTRUMENT NO. 2012-00084258 OF THE DEED RECORDS OF MONTGOMERY COUNTY, OHIO, AS AMENDED.

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. 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.

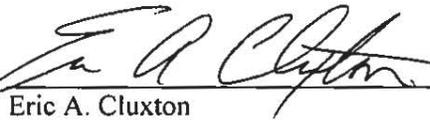
THE INTEREST CONVEYED HEREBY IS ALSO SUBJECT TO COVENANTS AND RESTRICTIONS FOUND IN THE FOLLOWING DEEDS FROM THE UNITED STATES GOVERNMENT:

Deeds recorded in the Montgomery County, Ohio Recorder's Office as follows:

- 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
- Deed Recorded January 31, 2018 at Instrument No. 2018-00006246

Executed this 31st day of December, 2018.

MOUND DEVELOPMENT CORPORATION,
an Ohio not-for-profit corporation

By: 
Eric A. Cluxton
President

STATE OF OHIO, COUNTY OF MONTGOMERY, SS:

The foregoing instrument was acknowledged before me this 31st day of December, 2018, by Eric A. Cluxton, the President of Mound Development Corporation, an Ohio not-for-profit corporation, on behalf of said not-for-profit corporation.


Notary Public

This instrument prepared by:
Shannon L. Costello, Esq.
Coolidge Wall Co., L.P.A.
33 West First Street, Suite 600
Dayton, Ohio 45402
w:\wdox\client\001969\00650\00992026.docx



SHANNON L. COSTELLO, Attorney at Law
Notary Public, State of Ohio
My Commission has no expiration date.
Section 147.03 O. R. C.

EXHIBIT A

Situate in Section 36, Town 2, Range 5 M.R.s., City of Miamisburg, Montgomery County and State of Ohio and being Lot Numbered Eight Thousand One (8001) of the Mound Advanced Technology Center Record Plan, Section 1-A as recorded in Plat Book 225, Page 19 of the Montgomery County, Ohio records.

Parcel Id Number: K46 01507 0032

Situate in Section 36, Town 2, Range 5 M.R.s., City of Miamisburg, Montgomery County and State of Ohio and being Lot Numbered Eight Thousand Twenty-Six (8026) of the Mound Advanced Technology Center Record Plan, Section 1-A as recorded in Plat Book 225, Page 19 of the Montgomery County, Ohio records.

Parcel Id Number: K46 01507 0040

Situate in Sections 30 and 36, Town 2, Range 5 M.R.s., City of Miamisburg, Montgomery County and State of Ohio and being Lot Numbered 8050 of the Mound Advanced Technology Center Record Plan, Section 3 as recorded in Plat Book 231, Page 9 of the Montgomery County, Ohio records.

Parcel Id Number: K46 00503 0031

Type: Deeds
Kind: DEED
Recorded: 3/27/2019 12:37:54 PM
Fee Amt: \$52.00 Page 1 of 5
Montgomery County, OH
Brandon C. McClain Recorder

TRANSFER
12:17pm MARCH 27, 2019
KARL L. KEITH, COUNTY AUDITOR
Conv/Tran #: 04775 \$1,765.20

File# 2019-00015160

① 5
LIMITED WARRANTY DEED
(Ohio Statutory Form)

MOUND DEVELOPMENT CORPORATION, an Ohio not-for-profit corporation ("Grantor"), for valuable consideration paid, grants with limited warranty covenants to **TWS PROPERTIES, LLC**, an Ohio limited liability company, having a tax-mailing address of 1195 Mound Road, Miamisburg, OH 45342 ("Grantee"), the following real property (the "Premises"):

Situate in Sections 30 and 36, Town 2, Range 5 M.Rs, City of Miamisburg, Montgomery County, Ohio and being Lot Numbered 7999 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.: K46-01507-0030

Property Address: 1195 Mound Road, Miamisburg, Ohio 45432

PRIOR DEED REFERENCE: Instrument No. 2015-00023825 of the Montgomery County, Ohio Deed Records.

Subject to legal highways, building, zoning and other ordinances, statutes and legal requirements, the lien of real estate taxes and assessments not yet due and payable and covenants, conditions, restrictions and easements of record, including without limitation, those referenced below.

over
THE INTEREST CONVEYED HEREBY IS SUBJECT TO THOSE TERMS, COVENANTS, RESTRICTIONS AND RESERVATIONS OF EASEMENTS FOUND IN DEEDS OF RECORD FROM THE UNITED STATES GOVERNMENT, WHICH INCLUDE WITHOUT LIMITATION, THE BELOW TERMS, COVENANTS AND RESTRICTIONS. BY GRANTEE'S ACCEPTANCE OF THIS DEED, GRANTEE AGREES TO SUCH TERMS, COVENANTS AND RESTRICTIONS AND AGREES THAT GRANTOR SHALL HAVE NO LIABILITY OR RESPONSIBILITY FOR ANY OBLIGATIONS OR ACTIONS OF THE UNITED STATES OF AMERICA, THE UNITED STATES DEPARTMENT OF ENERGY, THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, THE STATE OF OHIO, THE OHIO ENVIRONMENTAL PROTECTION AGENCY OR THE OHIO DEPARTMENT OF HEALTH.

Further, the United States of America, acting by and through the United States Department of Energy and/or the U.S. Environmental Protection Agency, their successors and assigns, has reserved an easement to, upon or across the Premises in connection with the restrictions and covenants in paragraphs numbered 1.1-1.3, 3.2 and 3.3 of this Deed and as otherwise needed for purposes of any response action as defined under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended, including but not limited to, environmental investigation or remedial action on the Premises or on property in the vicinity thereof, including the right of access to, and use of, to the extent permitted by applicable law, utilities at reasonable cost to the State of Ohio, acting by and through the Director of the Ohio Environmental Protection Agency ("OEPA") or the Ohio Department of Health ("ODH"), their successors and assigns.

1. The following terms, restrictions and covenants shall run with the land and be binding upon the Grantee and its successors, transferees, and assigns or any other person acquiring an interest in the Premises, for the benefit of the United States of America, the United States Environmental Protection Agency ("USEPA") and the State of Ohio, acting by and through the Director of Ohio Environmental Protection Agency ("Ohio EPA" or "OEPA") or the Ohio Department of Health ("ODH"), their successors and assigns.

1.1 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 in Exhibit D to that Quit Claim Deed recorded at Instrument No. 2009-011643 of the Deed Records of Montgomery County, Ohio, 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, page 45; Deed Book 1258, pages 56 and 74; 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 ODH, Ohio EPA, and USEPA, or successor agencies.

1.2 Grantee covenants not to use, or allow the use of, the Premises for any residential or farming activities, or any other activities which could result in the chronic exposure of children under eighteen years of age to soil or groundwater from the Premises. Restricted uses shall include, but not be limited to:

- (1) single or multi-family 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 or religious facilities for children under eighteen years of age.

The United States Department of Energy or its successor agency shall be contacted to resolve any questions which may arise as to whether a particular activity would be considered a restricted use.

- 1.3 Grantee covenants not to extract, consume, expose, or use in any way the groundwater underlying the premises without the prior written approval of the United States Environmental Protection Agency (Region V) and the OEPA.
2. Grantor hereby grants to the State of Ohio, and the United States Department of Energy or its successor agency, have reserved and retained for itself and its successors and assigns, an irrevocable, permanent, and continuing right to enforce the covenants of this Deed through proceedings at law or in equity, including resort to an action for specific performance, as against and at the expense of Grantee, its successors and assigns, including reasonable legal fees, and to prevent a violation of, or recover damages from a breach of, these covenants, or both. Any delay or forbearance in enforcement of said restrictions and covenants shall not be deemed to be a waiver thereof.
3. Pursuant to Section 120(h)(3) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (42 U.S.C. §9620(h)(3)), the United States Department of Energy has provided in prior deeds the following notice of hazardous substances, the description of any remedial action taken, and a covenant concerning the Premises.
 - 3.1 **Notice of Hazardous Substance:** The United States Department of Energy has made a complete search of its files and records concerning the Premises. Those records indicate that the hazardous substances described in an Exhibit to Instrument Number 2012-00083743 of the Deed Records of Montgomery County, Ohio, have been stored for one year or more or disposed of on the Premises and said Exhibit also shows the dates that such storage/disposal took place.
 - 3.2 **Description of Remedial Action Taken:** Institutional Controls are established. The Institutional Controls are set forth as covenants in Sections 1.1, 1.2, and 1.3 of this Deed.
 - 3.3 **Covenant:** The United States Department of Energy has covenanted and warranted that all remedial action necessary for the protection of human health and the environment with respect to any hazardous substances remaining on the property has been taken, and any additional remedial action found to be necessary after the date of this Deed regarding hazardous substances existing prior to the date of this Deed shall be conducted by the United States Department of Energy, provided, however, that the foregoing covenant shall not apply in any case in which the presence of hazardous substances on the property is due to the activities of Grantee, its successors, assigns, employees, invitees, or any other person subject to Grantee's control or direction.
4. Unless otherwise specified, all the covenants, conditions, and restrictions to this Deed shall be binding upon, and shall inure to the benefit of, the assigns of Grantor and the successors and assigns of Grantee.

GRANTEE ACKNOWLEDGES THE NOTIFICATIONS STATED IN THAT AFFIDAVIT BY THE U.S. DEPARTMENT OF ENERGY RECORDED AT DEED MICROFICHE NO. 90-616D02 OF THE LAND RECORDS OF MONTGOMERY COUNTY, OHIO.

THE INTEREST CONVEYED HEREBY IS FURTHER SUBJECT TO THE MOUND ADVANCED TECHNOLOGY CENTER DECLARATION OF COVENANTS AND RESTRICTIONS RECORDED AS INSTRUMENT NO. 2012-00084258 OF THE DEED RECORDS OF MONTGOMERY COUNTY, OHIO AND AMENDED AT INSTRUMENT NUMBER 201800009416 OF THE DEED RECORDS OF MONTGOMERY COUNTY OHIO, AS THE SAME MAY BE FURTHER AMENDED HEREAFTER.

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. 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.

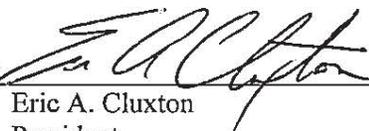
THE INTEREST CONVEYED HEREBY IS ALSO SUBJECT TO COVENANTS AND RESTRICTIONS FOUND IN THE FOLLOWING DEEDS FROM THE UNITED STATES GOVERNMENT:

Deeds recorded in the Montgomery County, Ohio Recorder's Office as follows:

- Deed Recorded December 21, 1999 at Microfiche No. 99-852B05 and Re-Recorded November 22, 2002 at Instrument No. 200200146503
- Deed Recorded October 17, 2002 at Deed 200200128007
- Deed Recorded October 18, 2002 at Deed 200200128206
- Deed Recorded February 24, 2009 at Deed 200900011643
- Deed Recorded December 19, 2012 at Deed 201200083743
- Deed Recorded November 13, 2013 at Deed 201300079430

Executed this 26 day of March, 2019.

MOUND DEVELOPMENT CORPORATION
an Ohio not-for-profit corporation

By: 
Eric A. Cluxton
President

STATE OF OHIO, COUNTY OF MONTGOMERY, SS:

The foregoing instrument was acknowledged before me this 26 day of March, 2019, by Eric A. Cluxton, the President of Mound Development Corporation, an Ohio not-for-profit corporation, on behalf of said not-for-profit corporation.

Traci H. Walker

Notary Public

This instrument prepared by:
Shannon L. Costello, Esq.
Coolidge Wall Co., L.P.A.
33 West First Street, Suite 600
Dayton, Ohio 45402
001969\00639\01006458.docx-2



TRACI H. WALKER
Notary Public, State of Ohio
My Commission Expires
July 6, 2022

BOX
CHICAGO TITLE COMPANY, LLC
1 S. MAIN STREET, SUITE 250
DAYTON, OHIO 45402 - 3819.0002-DD

Type: Deeds
Kind: DEED
Recorded: 4/23/2019 3:29:00 PM
Fee Amt: \$36.00 Page 1 of 3
Montgomery County, OH
Brandon C. McClain Recorder

TRANSFER
03:24pm APRIL 23, 2019
KARL L. KEITH, COUNTY AUDITOR
Conv/Tran #: 06480 \$.00

File# 2019-00020278

QUIT CLAIM DEED
(Ohio Statutory Form)

CITY OF MIAMISBURG, OHIO, an Ohio municipal corporation whose tax mailing address is 10 North First Street, Miamisburg, Ohio 45342 ("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 45343-0232 ("Grantee"), the real property described in Exhibit A attached hereto and incorporated herein by reference (collectively referred to in this Deed as the "Property").

PRIOR DEED REFERENCE: Instrument No. 2018-00076268 of the Montgomery County, Ohio Deed Records.

THE INTEREST CONVEYED HEREBY IS SUBJECT TO THE MOUND ADVANCED TECHNOLOGY CENTER DECLARATION OF COVENANTS AND RESTRICTIONS RECORDED AS INSTRUMENT NO. 2012-00084258 OF THE DEED RECORDS OF MONTGOMERY COUNTY, OHIO, AS AMENDED.

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. 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.

THE INTEREST CONVEYED HEREBY IS ALSO SUBJECT TO COVENANTS AND RESTRICTIONS FOUND IN THE FOLLOWING DEEDS FROM THE UNITED STATES GOVERNMENT:

Page 1 of 3

Deeds recorded in the Montgomery County, Ohio Recorder's Office as follows:

- 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
- Deed Recorded January 31, 2018 at Instrument No. 2018-00006246

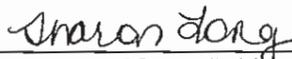
Executed this 11 day of April, 2019.

CITY OF MIAMISBURG
an Ohio municipal corporation

By: 
Printed Name: KEITH JOHNSON
Title: CITY MANAGER

STATE OF OHIO, COUNTY OF MONTGOMERY, SS:

The foregoing instrument was acknowledged before me this 11 day of April, 2019, by Keith Johnson, the City Manager of the City of Miamisburg, Ohio, an Ohio municipal corporation, on behalf of said municipal corporation.


Notary Public

Sharon Long
Notary Public, State of Ohio
My Commission Expires April 17, 2023

This instrument prepared by:
Shannon L. Costello, Esq.
Coolidge Wall Co., L.P.A.
33 West First Street, Suite 600
Dayton, Ohio 45402
w:\wdox\client\001969\00621\01002994.docx



Page 2 of 3

EXHIBIT A

Situate in Section 36, Town 2, Range 5 M.R.s., City of Miamisburg, Montgomery County and State of Ohio and being Lot Numbered Eight Thousand One (8001) of the Mound Advanced Technology Center Record Plan, Section 1-A as recorded in Plat Book 225, Page 19 of the Montgomery County, Ohio records.

Parcel Id Number: K46 01507 0032

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TRANSFERRED
18 SEP -5 AM 10:48
KARL L. KEITH

Type: DEE
Kind: PLAT
Recorded: 09/05/2018 10:50:45 AM
Fee Amt: \$172.60 Page 1 of 2
Montgomery County, OH
Brandon C. McClain, County Recorder
File# 2018-00052009

OWNER'S STATEMENT:

DATE August 24, 2018

STATE OF COLORADO, COUNTY OF DENVER, S.S.
BUDIMIR SOKOLOVICH, IN HIS CAPACITY AS SENIOR REALTY OFFICER
DEPARTMENT OF ENERGY, OFFICE OF LEGACY MANAGEMENT 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 IT'S EXECUTION

OWNER UNITED STATES OF AMERICA

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

Katherine Koett
NOTARY PUBLIC
MY COMMISSION EXPIRES: 07.17.2019

KATHERINE KOETT
Notary Public
State of Colorado
Notary ID # 20074027594
My Commission Expires 07-17-2019

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

OWNER: UNITED STATES OF AMERICA

Budimir Sokolovich
WITNESS

Budimir Sokolovich
WITNESS

Budimir Sokolovich
BUDIMIR SOKOLOVICH,
SENIOR REALTY OFFICER,
DEPARTMENT OF ENERGY
OFFICE OF LEGACY MANAGEMENT

STATE OF COLORADO, COUNTY OF DENVER, S.S.

BE IT REMEMBERED, THAT ON THIS 24 DAY OF August, 2018
BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE,
PERSONALLY CAME BUDIMIR SOKOLOVICH, SENIOR REALTY OFFICER, DEPARTMENT
OF ENERGY, OFFICE OF LEGACY MANAGEMENT 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

Katherine Koett
NOTARY PUBLIC
MY COMMISSION EXPIRES 07.17.19

KATHERINE KOETT
Notary Public
State of Colorado
Notary ID # 20074027594
My Commission Expires 07-17-2019

RECORD PLAN

MOUND ADVANCED TECHNOLOGY CENTER

SECTION 4

CITY OF MIAMISBURG

SECTIONS 30, & 36, TOWN 2, RANGE 5 M.Rs.
MONTGOMERY COUNTY, OHIO
4.260 ACRES IN LOT
JUNE 2018

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



SUPERIMPOSED AREA

COVENANTS AND RESTRICTIONS:

1. LOTS SHOWN ON THIS PLAT SHALL BE SUBJECT TO AND GOVERNED BY ALL APPLICABLE ZONING REQUIREMENTS OF THE CITY OF MIAMISBURG, OHIO
2. THIS PROPERTY IS SUBJECT TO MOUND ADVANCED TECHNOLOGY CENTER DECLARATION OF COVENANTS AND RESTRICTIONS DATED DECEMBER 14, 2012 AND RECORDED AT INSTRUMENT NO. 2012-084258
3. 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

DESCRIPTION:

THE WITHIN PLAT IS A SUBDIVISION OF A 87.28 ACRE TRACT AND A 42.307 ACRE TRACT, CONVEYED TO THE UNITED STATES OF AMERICA AS RECORDED IN DEED BOOK 1214, PAGE 12, TRACT A-104, AND DEED BOOK 1246, PAGE 45 OF THE DEED RECORDS OF MONTGOMERY COUNTY AND CONTAINING 4.260 ACRES ALL OF WHICH ARE IN LOTS. 4.027 ACRES IN SECTION 36 AND 0.233 ACRES IN SECTION 30

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
9/22/18
DATE

APPROVAL

APPROVED AND ACCEPTED THIS 28th DAY OF August, 2018
BY THE PLANNING COMMISSION OF THE CITY OF MIAMISBURG, OHIO

Leslie Karacia
SECRETARY
MIAMISBURG, OHIO

APPROVED AND ACCEPTED THIS 28th DAY OF August, 2018
BY THE COUNCIL OF THE CITY OF MIAMISBURG, OHIO

Richard A. ...
MAYOR
MIAMISBURG, OHIO

LINE OF OCCUPATION WHERE EXISTING AGREE IN GENERAL WITH PROPERTY LINES

PERTINENT DOCUMENTS:
DEED RECORDS, PLATS AND SURVEYS AS SHOWN ON THIS PLAT

ALL MONUMENTATION SET/FOUND IN GOOD CONDITION UNLESS OTHERWISE NOTED

SHEET 1 of 2

APPROVED FOR DESCRIPTION

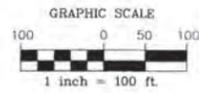
Raymond B. Mefford
MONTGOMERY COUNTY ENGINEER
18-0170
JOB NO.
8/30/18
DATE
Raymond B. Mefford
CHECKED BY

232 P26A

TRANSFERRED
18 SEP -5 AM 10:46
KARL L. KEITH
REGISTERED

Type: DEE
Kind: PLAT
Recorded: 08/05/2018 10:50:48 AM
Fee Amt: \$172.50 Page 1 of 2
Montgomery County, OH
Brandon C. McClain, County Recorder
File# 2018-0052009

BEARINGS BASED ON THE CENTERLINE OF
INNOVATION WAY PER PLAT BOOK 231, PAGE 09
N 29°53'18"W

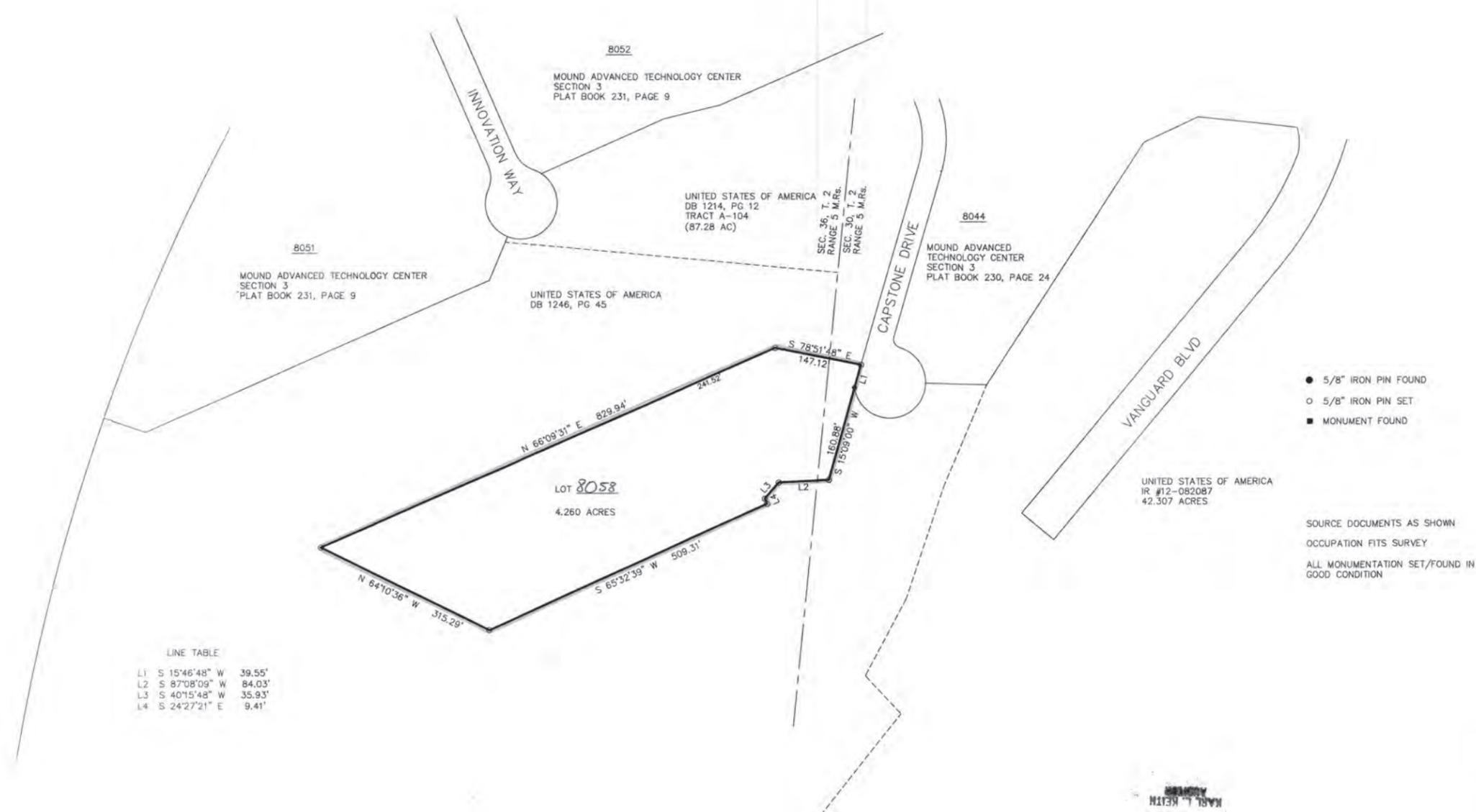


RECORD PLAN

MOUND ADVANCED TECHNOLOGY CENTER
SECTION 4

CITY OF MIAMISBURG

SECTIONS 30, & 36, TOWN 2, RANGE 5 M.Rs.
MONTGOMERY COUNTY, OHIO
4.260 ACRES IN LOTS
JUNE 2018



LINE TABLE

L1	S 15°46'48" W	39.55'
L2	S 87°08'09" W	84.03'
L3	S 40°15'48" W	35.93'
L4	S 24°27'21" E	9.41'

- 5/8" IRON PIN FOUND
- 5/8" IRON PIN SET
- MONUMENT FOUND

SOURCE DOCUMENTS AS SHOWN
OCCUPATION FITS SURVEY
ALL MONUMENTATION SET/FOUND IN
GOOD CONDITION

Prepared By:
JUDGE ENGINEERING CO.
1201 E. DAVID ROAD
KETTERING, OHIO 45429
PHONE: 937/294-1441 FAX: 937/294-6498

TRANSFERRED
18 SEP -5 AM 10:46
KARL L. KEITH
REGISTERED

OWNER'S STATEMENT:

DATE _____, 2019

STATE OF OHIO, COUNTY OF MONTGOMERY, S.S. BUDIMIR SOKOLOVICH, IN HIS CAPACITY AS SENIOR REALTY OFFICER DEPARTMENT OF ENERGY, OFFICE OF LEGACY MANAGEMENT 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 IT'S EXECUTION

OWNER UNITED STATES OF AMERICA

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

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

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.

GRANT OF EASEMENT:

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 GRANT AN INGRESS/EGRESS EASEMENT TO THE PUBLIC USE FOREVER OVER THE PORTION OF THE STREETS AS MARKED WITHIN THE PLAT AS THE "ROADWAY EASEMENT". THOSE AREAS DESIGNATED AS ROADWAY EASEMENT SHALL REMAIN THE PROPERTY OF THE UNITED STATES OF AMERICA, AS RECORDED IN BOOK 1214, PAGE 12, BOOK 1246, PAGE 45, AND IR #12-082087 OF THE DEED RECORDS OF MONTGOMERY COUNTY, OHIO. THE AREAS DESIGNATED AS ROADWAY EASEMENT SHALL BE FOR THE PURPOSE OF PUBLIC INGRESS/EGRESS AND FOR THE EXTENSION OF PUBLIC UTILITIES. THE UNITED STATES OF AMERICA SHALL RETAIN EXCLUSIVE CONTROL OVER THE AREAS DESIGNATED AS ROADWAY EASEMENT, BUT SHALL GRANT THE CITY OF MIAMISBURG REASONABLE ACCESS TO CONDUCT ROADWAY MAINTENANCE, UTILITY MAINTENANCE, AND SNOW REMOVAL IN THE ROADWAY EASEMENT

LINES OF OCCUPATION WHERE EXISTING AGREE IN GENERAL WITH PROPERTY LINES

PERTINENT DOCUMENTS: DEED RECORDS, PLATS AND SURVEYS AS SHOWN ON THIS PLAT

ALL MONUMENTATION SET/FOUND IN GOOD CONDITION UNLESS OTHERWISE NOTED

SUPERIMPOSED AREA NOTE: ALL THE LANDS OF DEDICATORS FROM WHICH THIS PLAT IS DRAWN

REPLAT

MOUND ADVANCED TECHNOLOGY CENTER SECTION 5

BEING A REPLAT OF LOTS 2259, 2290, 4777, OF THE CONSECUTIVE LOT NUMBERS OF THE CITY OF MIAMISBURG SECTIONS 30 & 35, TOWN 2, RANGE 5 M.R.s. MONTGOMERY COUNTY, OHIO 85.4933 ACRES IN LOTS 5.2406 ACRES IN STREETS 2.0185 ACRES IN ROADWAY EASEMENT 92.7524 ACRES TOTAL APRIL 2019



OWNER: UNITED STATES OF AMERICA

WITNESS

WITNESS

BUDIMIR SOKOLOVICH

STATE OF OHIO, COUNTY OF MONTGOMERY S.S.

BE IT REMEMBERED, THAT ON THIS ____ DAY OF _____, 2019 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY CAME BUDIMIR SOKOLOVICH 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

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

COVENANTS AND RESTRICTIONS:

1. LOTS SHOWN ON THIS PLAT SHALL BE SUBJECT TO AND GOVERNED BY ALL APPLICABLE ZONING REQUIREMENTS OF THE CITY OF MIAMISBURG, OHIO

2. LOTS SHOWN ON THIS PLAT SHALL BE SUBJECT TO MOUND ADVANCED TECHNOLOGY CENTER DECLARATION OF COVENANTS AND RESTRICTIONS DATED DECEMBER 14, 2012 AND RECORDED AT INSTRUMENT NO. 2012-084258

3. 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

DESCRIPTION:

BEING A REPLAT OF PART LOTS 2259, 2290, & 4777, OF THE CONSECUTIVE LOT NUMBERS OF THE CITY OF MIAMISBURG AS CONVEYED TO THE UNITED STATES OF AMERICA AS RECORDED IN BOOK 1214, PAGE 12 TRACT A-104, BOOK 1246, PAGE 45, TRACT A-108 AND IR# 12-082087 OF THE DEED RECORDS OF SAID COUNTY AND CONTAINING 85.4933 ACRES IN LOTS, 5.2406 ACRES IN STREETS AND 2.0185 ACRES IN ROADWAY EASEMENT FOR 92.7524 ACRES TOTAL

CERTIFICATION:

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

RAYMOND B MEFFORD, PS#7367 DATE

APPROVAL

APPROVED AND ACCEPTED THIS ____ DAY OF _____, 2019 BY THE PLANNING COMMISSION OF THE CITY OF MIAMISBURG, OHIO

SECRETARY MIAMISBURG, OHIO

APPROVED AND ACCEPTED THIS ____ DAY OF _____, 2019 BY THE COUNCIL OF THE CITY OF MIAMISBURG, OHIO

MAYOR MIAMISBURG, OHIO

SHEET 1 of 2

APPROVED FOR DESCRIPTION

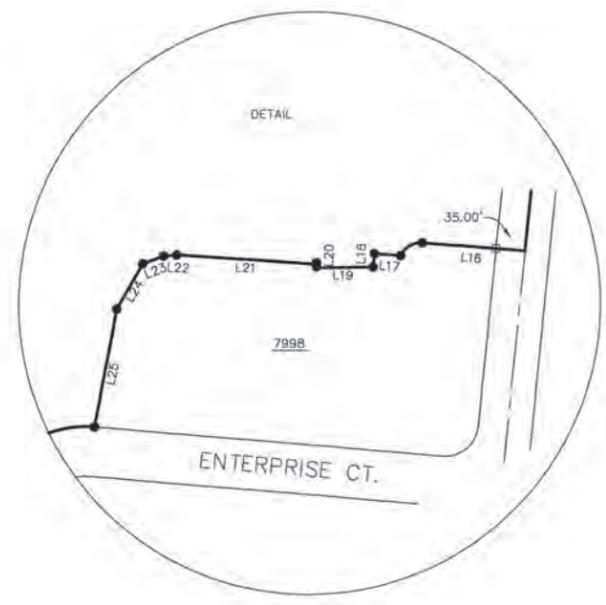
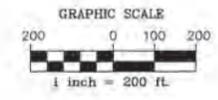
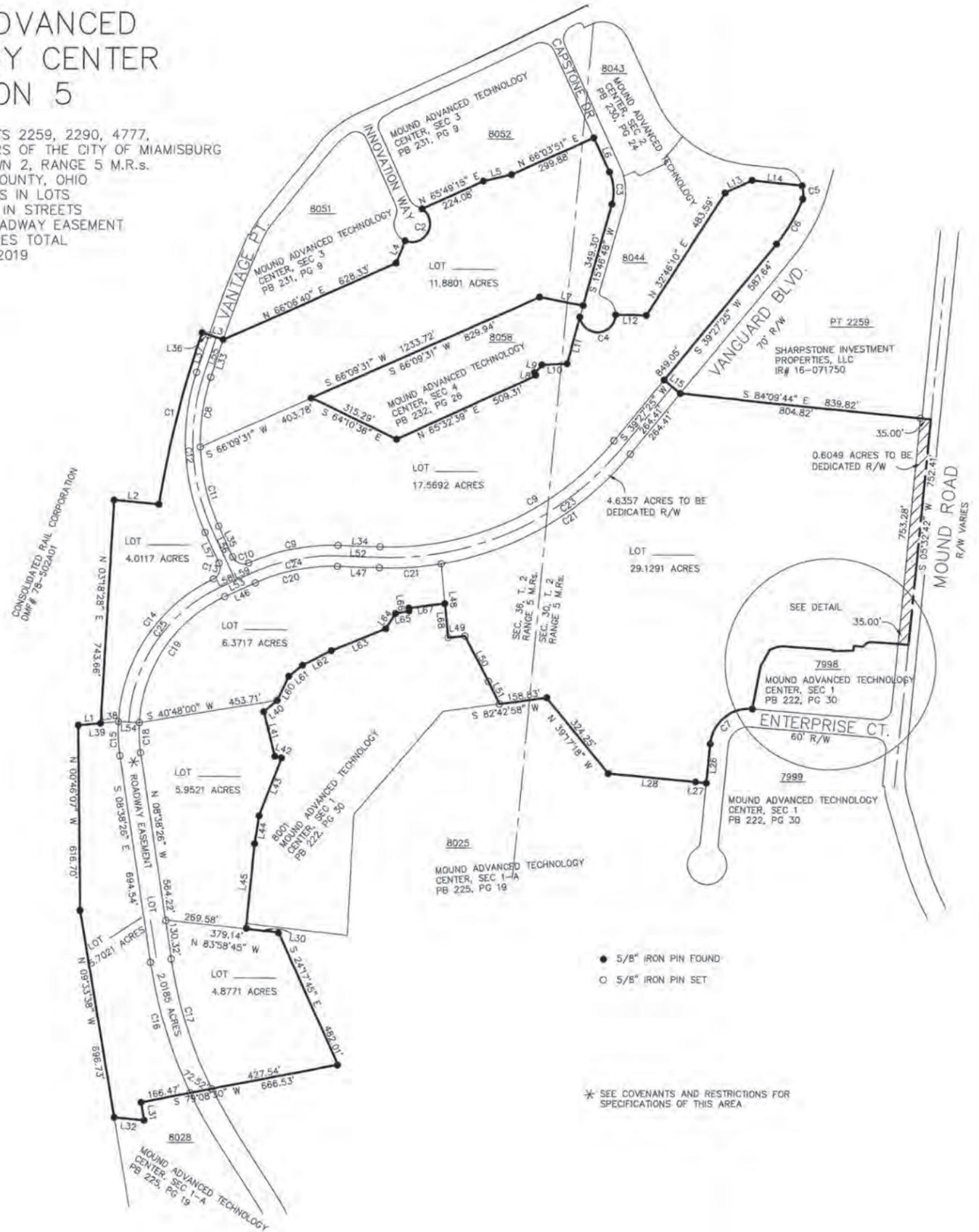
MONTGOMERY COUNTY ENGINEER DATE

JOB NO. CHECKED BY

RECORD PLAN
MOUND ADVANCED TECHNOLOGY CENTER SECTION 5

BEING A REPLAT OF LOTS 2259, 2290, 4777, OF THE CONSECUTIVE LOT NUMBERS OF THE CITY OF MIAMISBURG SECTIONS 30 & 35, TOWN 2, RANGE 5 M.R.s. MONTGOMERY COUNTY, OHIO 85.4933 ACRES IN LOTS 5.2406 ACRES IN STREETS 2.0185 ACRES IN ROADWAY EASEMENT 92.7524 ACRES TOTAL APRIL 2019

LINE	BEARING	DIST
L1	N 84°57'13" E	74.92'
L2	S 84°38'59" E	150.25'
L3	S 71°09'11" E	74.31'
L4	N 22°06'29" E	80.13'
L5	N 76°30'05" E	95.54'
L6	S 24°41'00" E	125.01'
L7	N 78°51'48" W	147.12'
L8	N 24°27'21" W	9.41'
L9	N 40°15'13" E	35.93'
L10	N 87°08'09" E	84.03'
L11	N 15°08'59" E	160.88'
L12	S 88°47'09" E	102.25'
L13	N 64°38'59" E	99.98'
L14	S 83°51'21" E	167.36'
L15	S 50°32'35" E	70.00'
L16	N 85°35'05" W	124.16'
L17	N 85°06'10" W	31.61'
L18	S 06°06'00" W	16.15'
L19	S 88°51'18" W	68.48'
L20	N 01°34'34" W	4.60'
L21	N 85°59'22" W	168.77'
L22	S 85°25'03" W	16.15'
L23	S 69°33'41" W	26.88'
L24	S 29°43'26" W	62.53'
L25	S 10°39'51" W	144.97'
L26	S 05°34'05" W	131.23'
L27	N 84°26'02" W	35.50'
L28	N 84°30'40" W	292.49'
L29	S 05°38'00" W	17.45'
L30	S 83°58'45" E	109.54'
L31	S 09°26'26" E	379.14'
L32	N 84°25'01" W	100.51'
L33	N 18°18'07" E	131.34'
L34	N 88°01'02" W	140.09'
L35	N 24°43'35" W	112.37'
L36	S 71°09'11" E	24.31'
L37	S 18°18'07" W	131.82'
L38	S 84°57'13" W	59.40'
L39	N 84°57'13" E	134.32'
L40	S 50°25'32" W	58.44'
L41	S 14°15'45" E	152.26'
L42	S 75°37'35" E	22.86'
L43	S 21°05'14" W	206.77'
L44	S 08°45'53" W	94.64'
L45	S 05°38'00" W	266.67'
L46	N 65°16'25" E	111.16'
L47	S 88°01'02" E	140.09'
L48	S 05°28'44" E	247.43'
L49	N 84°30'00" E	56.66'
L50	S 27°23'24" E	170.96'
L51	S 28°26'49" E	82.76'
L52	N 88°01'02" W	140.09'
L53	S 65°16'25" W	111.16'
L54	S 86°58'26" E	70.00'
L55	S 18°18'07" W	131.34'
L56	S 24°43'35" E	187.33'
L57	N 24°43'35" W	112.43'
L58	N 65°16'25" E	53.92'
L59	N 65°16'25" E	52.74'
L60	N 26°13'50" E	88.97'
L61	N 50°57'41" E	58.71'
L62	N 63°34'44" E	106.77'
L63	N 67°55'35" E	195.36'
L64	N 32°10'07" E	60.19'
L65	N 80°03'26" E	45.82'
L66	N 01°21'45" W	10.36'
L67	N 82°56'15" W	120.55'
L68	S 05°28'44" E	114.21'



CURVE	RADIUS	ARC	DELTA	CHORD
C1	3519.79'	588.59'	9°34'52"	N 14°03'23" E 587.90'
C2	60.00'	176.08'	168°08'27"	N 28°02'15" E 119.36'
C3	155.00'	109.46'	40°27'48"	S 04°27'06" E 107.20'
C4	60.00'	178.09'	170°03'53"	N 86°14'48" E 119.55'
C5	89.43'	45.03'	28°51'09"	S 02°01'43" E 44.56'
C6	538.00'	172.76'	18°23'56"	S 30°15'27" W 172.02'
C7	130.00'	202.71'	89°20'36"	S 50°14'23" W 182.79'
C8	675.00'	236.02'	20°02'03"	N 08°17'05" E 234.82'
C9	965.00'	884.66'	52°31'33"	S 65°43'11" W 854.01'
C10	40.00'	62.40'	89°22'31"	N 69°24'50" W 56.26'
C11	675.00'	270.89'	22°59'38"	N 13°13'46" W 269.08'
C12	725.00'	544.46'	43°01'42"	S 03°12'44" W 531.76'
C13	40.00'	62.09'	88°52'31"	S 19°44'41" W 56.04'
C14	560.00'	598.06'	61°11'24"	S 33°37'16" W 570.04'
C15	560.00'	114.03'	11°39'59"	S 02°48'26" E 113.83'
C16	1535.00'	455.79'	17°00'46"	S 17°08'49" E 454.11'
C17	1465.00'	453.52'	17°44'13"	N 17°50'32" W 451.71'
C18	490.00'	99.77'	11°39'59"	N 02°48'26" W 99.80'
C19	490.00'	532.35'	62°14'52"	N 34°08'59" E 506.55'
C20	802.00'	280.63'	26°12'33"	N 78°37'42" E 278.10'
C21	1035.00'	206.67'	11°26'28"	N 86°15'44" E 206.33'
C22	1035.00'	742.16'	41°05'05"	N 59°59'58" E 728.36'
C23	1000.00'	916.75'	52°31'33"	S 65°43'11" W 884.98'
C24	637.00'	296.94'	28°42'33"	S 78°37'42" W 294.26'
C25	525.00'	570.37'	62°14'52"	S 34°08'59" W 542.73'
C26	700.00'	525.69'	43°01'42"	S 03°12'44" E 513.42'

● 5/8" IRON PIN FOUND
○ 5/8" IRON PIN SET
* SEE COVENANTS AND RESTRICTIONS FOR SPECIFICATIONS OF THIS AREA.

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

Appendix C

Information on T Building Special IC Areas

Appendix C

Contents

1. Information on T Building Rooms with Special ICs
2. T Building Special IC Areas - Floor Plan
3. T Building Special ICs Core Team Agreement and Guidance
4. 2010 Baseline Photos of Special IC Areas
5. 2018 Photos of Cracks in Red Concrete
6. ATC 100 Fact Sheet for Crack Filler Product
7. Water in T-Building at the Mound, Ohio, Site (letter dated June 9, 2016)

Description of 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 ROD. 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 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 four-page agreement and position paper, known as the *T Building Special ICs Core Team Agreement and Position Paper* (of June 29, 2009) (DOE 2009b), is included in the CERCLA administrative record and in this appendix and will be included in subsequent annual IC assessment reports.

2010 Baseline 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 (Figures C-2 through C-47). Appendix D of this IC assessment report documents the condition of the cracks in the red concrete cap in Room T-44 (survey area 1C-10) and Room T-59 (survey unit 1C-21).

MDC took over maintenance of the T Building in December 2012 under the lease amendment No. 24 to the General Purpose Lease (DOE 2012b) and continued it in 2017 under lease amendment No. 25.

LM transferred T Building to MDC, and MDC sold the building to Patriot Communications September 2018.

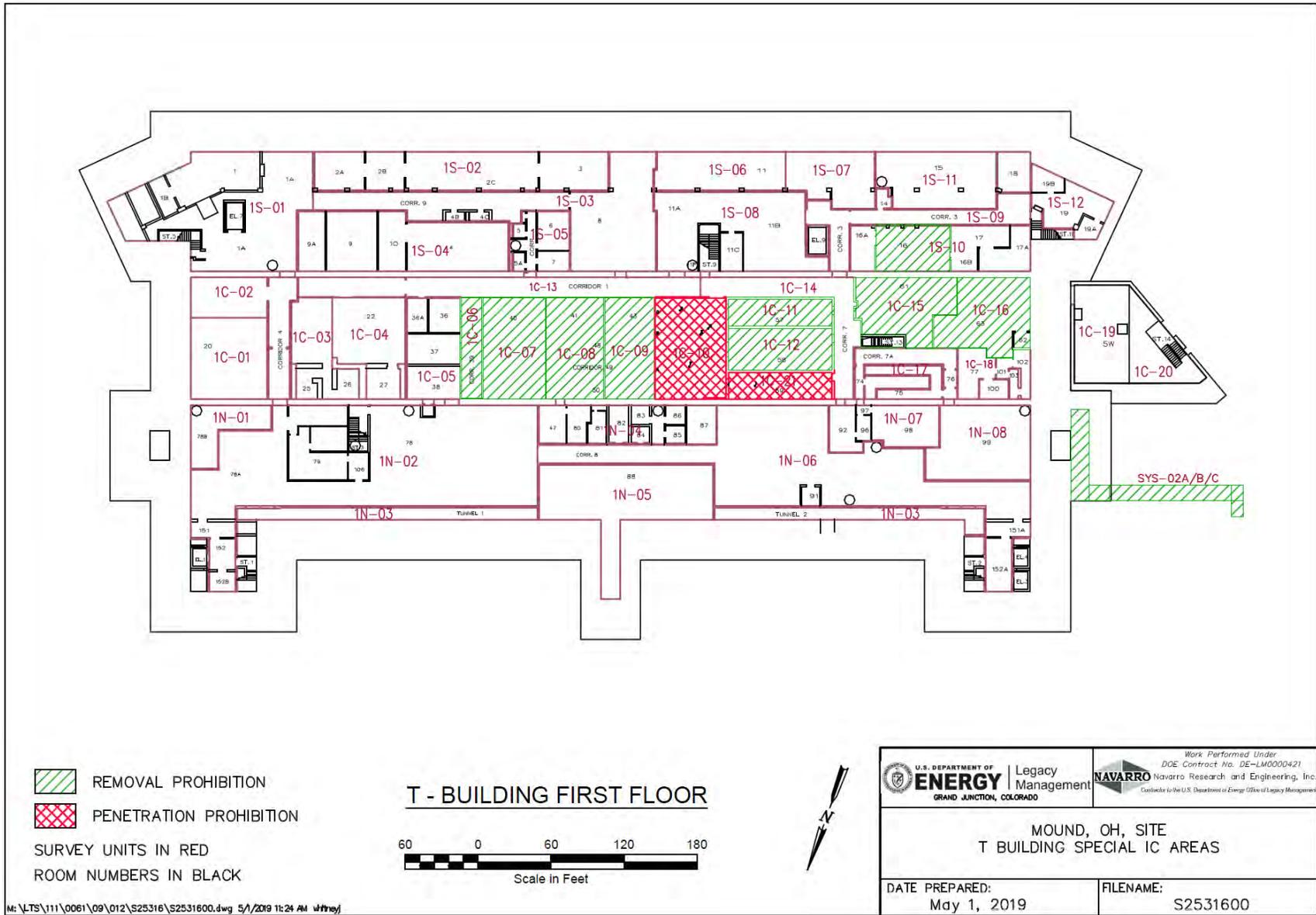


Figure C-1. T Building Rooms with Special ICs

T Building Special ICs Core Team Agreement and Guidance

7806XXXXXX-1105260001



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

T Building Special ICs Core Team Agreement and Guidance

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,

T Building Special ICs Core Team Agreement and Guidance

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.

T Building Special ICs Core Team Agreement and Guidance

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.

2010 Baseline Photos of T Building Special IC Areas

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

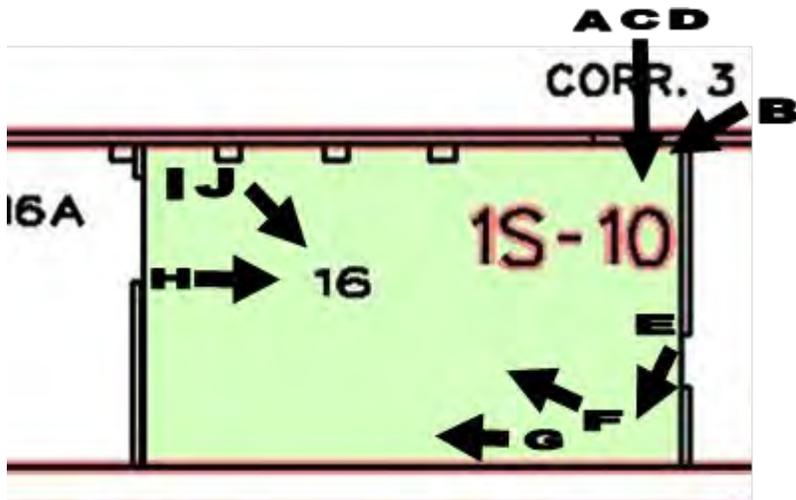


Figure C-2. T Building Room 16 View A



Figure C-3. T Building Room 16 View B



Figure C-4. T Building Room 16 View C



Figure C-5. T Building Room 16 View D

2010 Baseline Photos of T Building Special IC Areas



Figure C-6. T Building Room 16 View E



Figure C-7. T Building Room 16 View F



Figure C-8. T Building Room 16 View G



Figure C-9. T Building Room 16 View H



Figure C-10. Building Room 16 View I



Figure C-11. T Building Room 16 View J

2010 Baseline Photos of T Building Special IC Areas

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

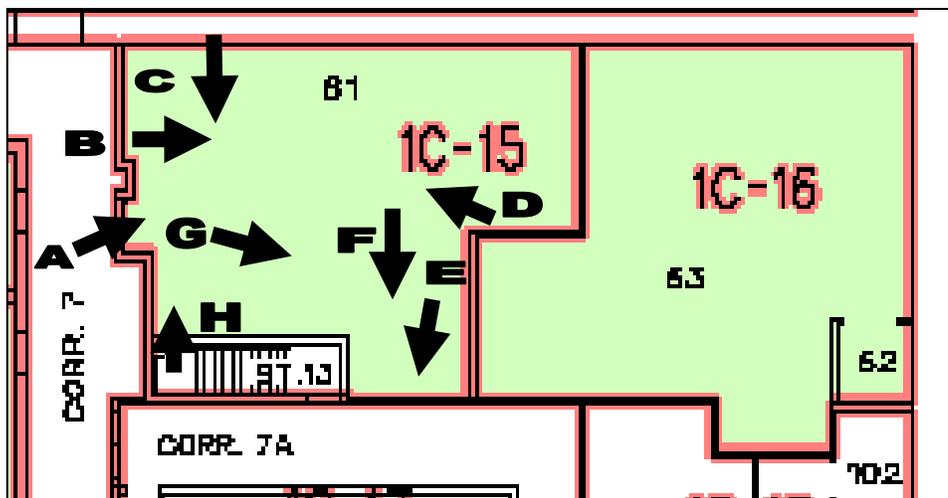


Figure C-12. T Building Room 61 View A



Figure C-13. T Building Room 61 View B



Figure C-14. T Building Room 61 View C



Figure C-15. T Building Room 61 View D

2010 Baseline Photos of T Building Special IC Areas



Figure C-16. T Building Room 61 View E



Figure C-17. T Building Room 61 View F



Figure C-18. T Building Room 61 View G



Figure C-19. T Building Room 61 View H

2010 Baseline Photos of T Building Special IC Areas

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

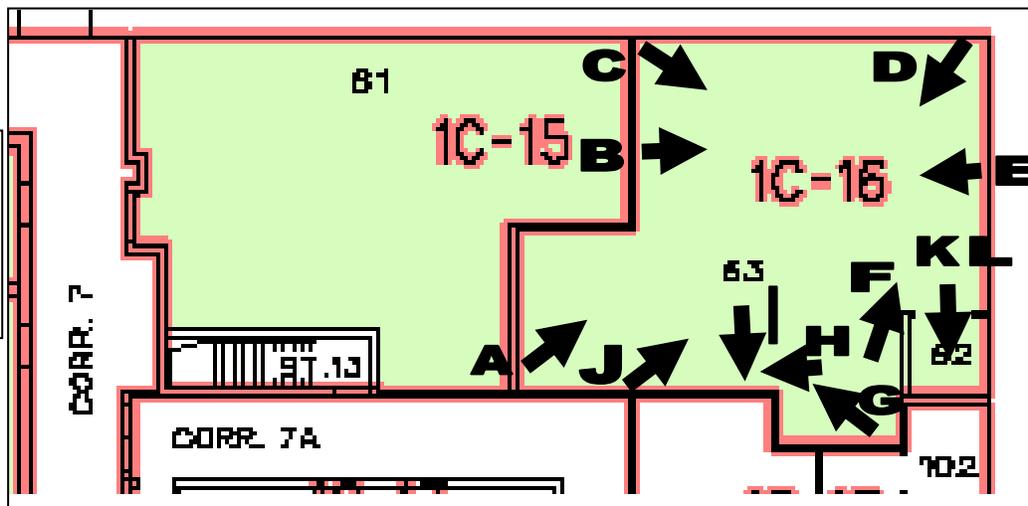


Figure C-20. T Building Room 63 View A



Figure C-21. T Building Room 63 View B



Figure C-22. Building Room 63 View C



Figure C-23. T Building Room 63 View D

2010 Baseline Photos of T Building Special IC Areas



Figure C-24. T Building Room 63 View E



Figure C-25. T Building Room 63 View F



Figure C-26. T Building Room 63 View G



Figure C-27. T Building Room 63 View H



Figure C-28. T Building Room 63 View I



Figure C-29. T Building Room 63 View J

2010 Baseline Photos of T Building Special IC Areas



Figure C-30. T Building Room 62 View K



Figure C-31. T Building Room 62 View L

2010 Baseline Photos of T Building Special IC Areas

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

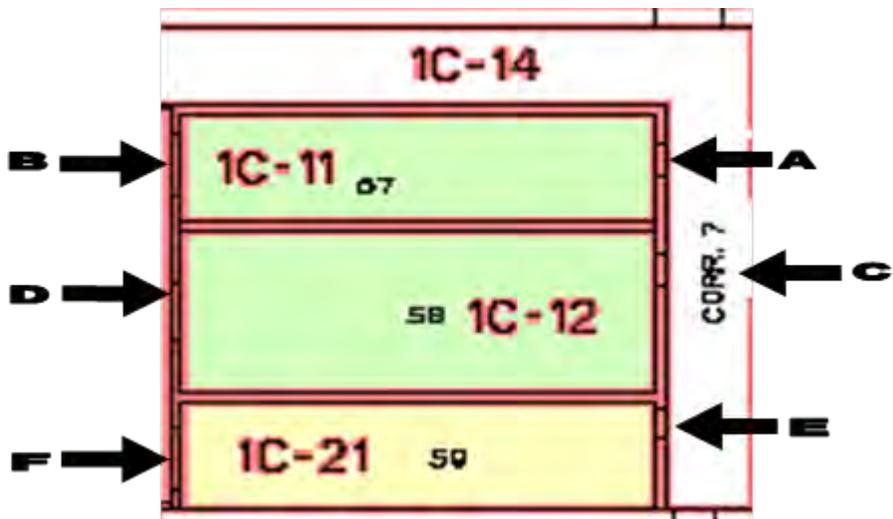


Figure C-32. T Building Room 57 View A



Figure C-33. T Building Room 57 View B



Figure C-34. T Building Room 58 View C



Figure C-35. T Building Room 58 View D

2010 Baseline Photos of T Building Special IC Areas



Figure C-36. T Building Room 59 View E



Figure C-37. T Building Room 59 View F

2010 Baseline Photos of T Building Special IC Areas

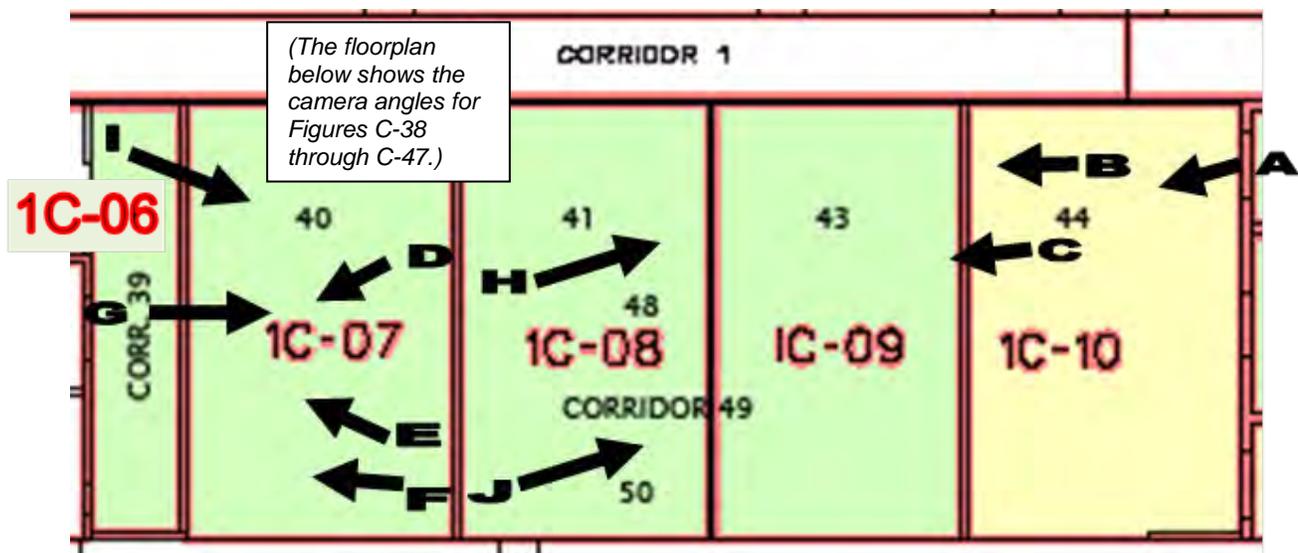


Figure C-38. T Building Rooms 39–44 and 48–50
View A



Figure C-39. T Building Rooms 39–44 and 48–50
View B



Figure C-40. T Building Rooms 39–44 and 48–50
View C



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

2010 Baseline Photos of T Building Special IC Areas



Figure C-42. T Building Rooms 39-44 and 48-50
View E



Figure C-43. T Building Rooms 39-44 and 48-50
View F



Figure C-44. T Building Rooms 39-44 and 48-50
View G



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



Figure C-46. T Building Rooms 39-44 and 48-50
View I



Figure C-47. T Building Rooms 39-44 and 48-50
View J

2018 Photos of Red Concrete Cracks

The photographs in Figure C-48 were taken on February 13, 2018, for the 2018 Mound site annual IC assessment to document the condition of the filled cracks in the red concrete in specified rooms in the T Building.

The locations of the crack monitoring points are shown in Figure C-48.



Monitoring Point A



Monitoring Point B



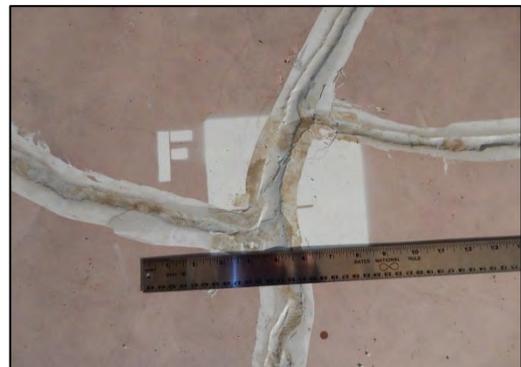
Monitoring Point C



Monitoring Point D



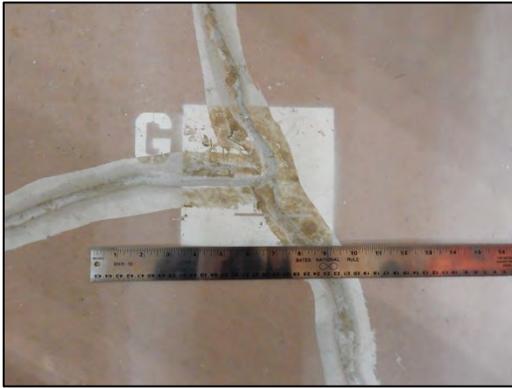
Monitoring Point E



Monitoring Point F

Figure C-48. Condition of the Cracks in the Red Concrete in Specified Rooms in the T Building, February 2018

2018 Photos of Red Concrete Cracks



Monitoring Point G

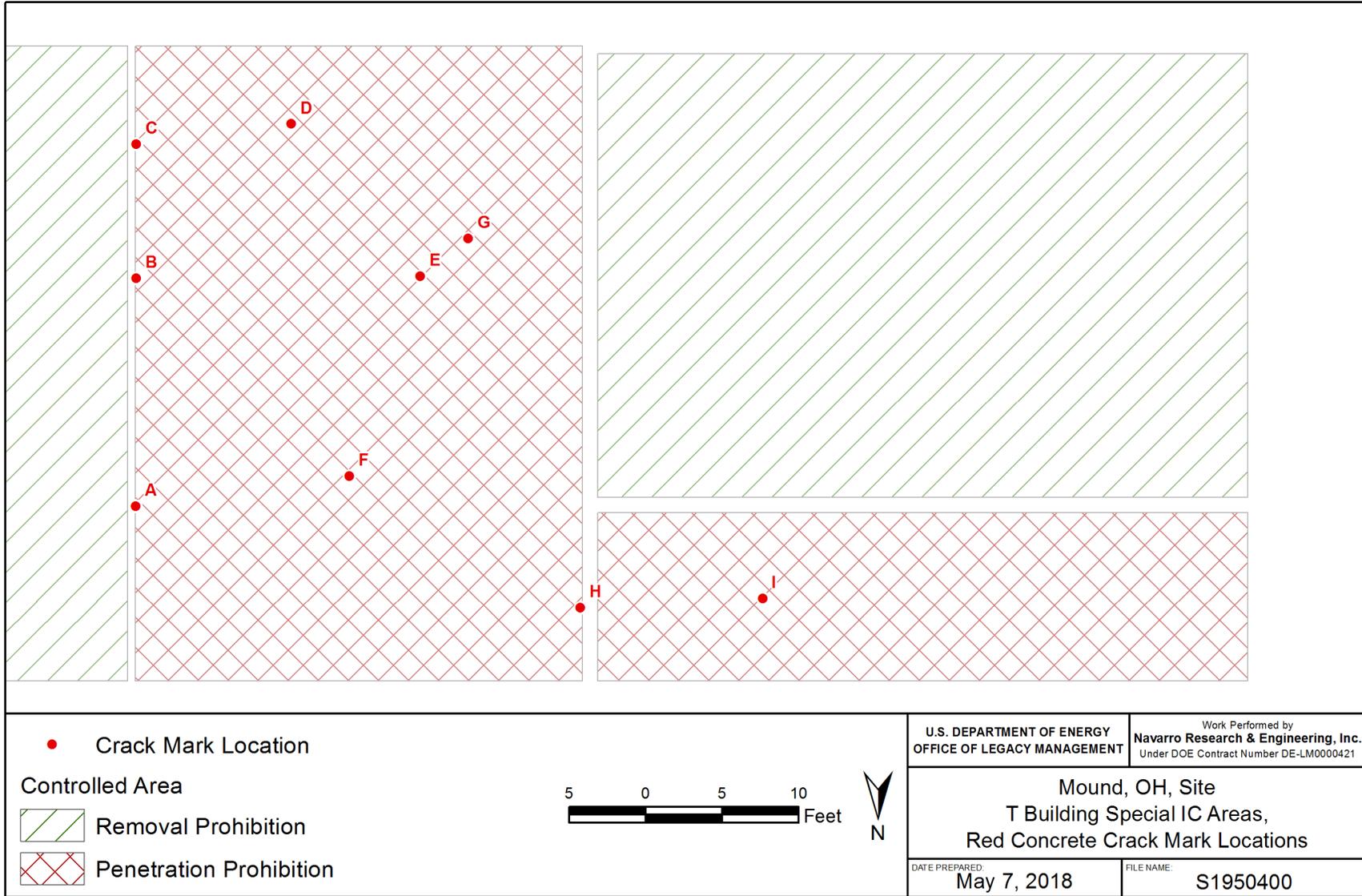


Monitoring Point H



Monitoring Point I

Figure C-48. Condition of the Cracks in the Red Concrete in Specified Rooms in the T Building, February 2018 (continued)



M:\LT\S\111\0061\09\011\S19504\S1950400.mxd coatesc 05/07/2018 9:29:12 AM

Figure C-49. T Building Special IC Areas, Red Concrete Crack Mark Locations

ATC 100 Fact Sheet for Crack Filler Product

ATC 100

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°-100°F
Temperature resistance	-40-190°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

ATC 100 Fact Sheet for Crack Filler Product

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 EXCLUSIVE 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



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07/07



June 9, 2016

Task Assignment 101
Control Number 16-0631

Melissa Lutz
Mound Site Lead
7295 Highway 94 South
St. Charles, MO 63304

SUBJECT: Water in T-Building at the Mound, Ohio, Site—
Date of Observation: April 7, 2016

Dear Ms. Lutz:

Radiological Control (RADCON) was notified on April 7 that one of the sump pumps in T-Building had malfunctioned, causing excess water to accumulate and flow over onto the floor of the building, including under an area that has special institutional controls (IC) in place that prohibits removal or penetration of the concrete without written regulatory approval. This area had fixed contamination that was left in place and clean concrete that was dyed red and then poured over the fixed contamination. This concrete was dyed red to make it easy to identify any special IC area. Although the U.S. Department of Energy Office of Environmental Management still owns this building, the Mound Development Corporation (MDC) is leasing the property and building and is responsible for all maintenance. MDC will take ownership of this building and property in September 2017. The Legacy Management Support (LMS) Contractor was tasked to provide radiological assistance to verify that the fixed contamination beneath the red concrete remained in place as designed.

After the sump pump replacement, there is currently no water within the building and the area in question has since dried. However, to ensure that the fixed contamination remained intact, RADCON personnel (Larry Oeffner and Roy Mowen) were directed to complete a detailed Radiological Survey Map (enclosed) with handheld radiological-detection equipment and a collection of swipe samples. The swipes samples were sent to a certified laboratory where they were analyzed for tritium. While handheld instruments are sufficient to determine various alpha and beta/gamma isotopes, tritium is also a potential contaminant of concern but, is not readily detected with handheld instruments.

The swipe samples were analyzed by GEL Laboratories in Charleston, South Carolina, and are identified by Requisition Index Number (RIN) 16047759 on the enclosed Date Review and Validation Report. All quality assurance/quality control data deliverables, including a PDF image file of the report and the EDD (electronic data deliverable) file, for all laboratory samples were received. Data validation of RIN 16047759 was completed by Mr. Steve Donovan of the Contractor Environmental Group. There were no issues with the data and all results are acceptable for use as reported.

All survey and swipe-sampling data has been reviewed by Mr. Todd Davidson, Certified Health Physicist. Mr. Davidson finds that the data proves conclusively that the radioactive material located within T-Building remains fixed under the red concrete areas.

Please contact me at (970) 248-6150 if you have any questions.

Sincerely,



Todd A. Davidson
2016.06.09 07:31:56 -06'00'

Todd Davidson, CHP, EI, RRPT, CHMM
LMS Radiation Protection Subject Matter Expert
for
Brian Saunders, CSP, CHMM, REM
LMS Radiological Control Manager

BS/rp

Enclosures (2)

cc: (electronic)

Beverly Cook, Navarro
Todd Davidson, Navarro
Yvonne Deyo, Navarro
Tim Rotert, Navarro
rc-grand.junction
File: MND 0510.10

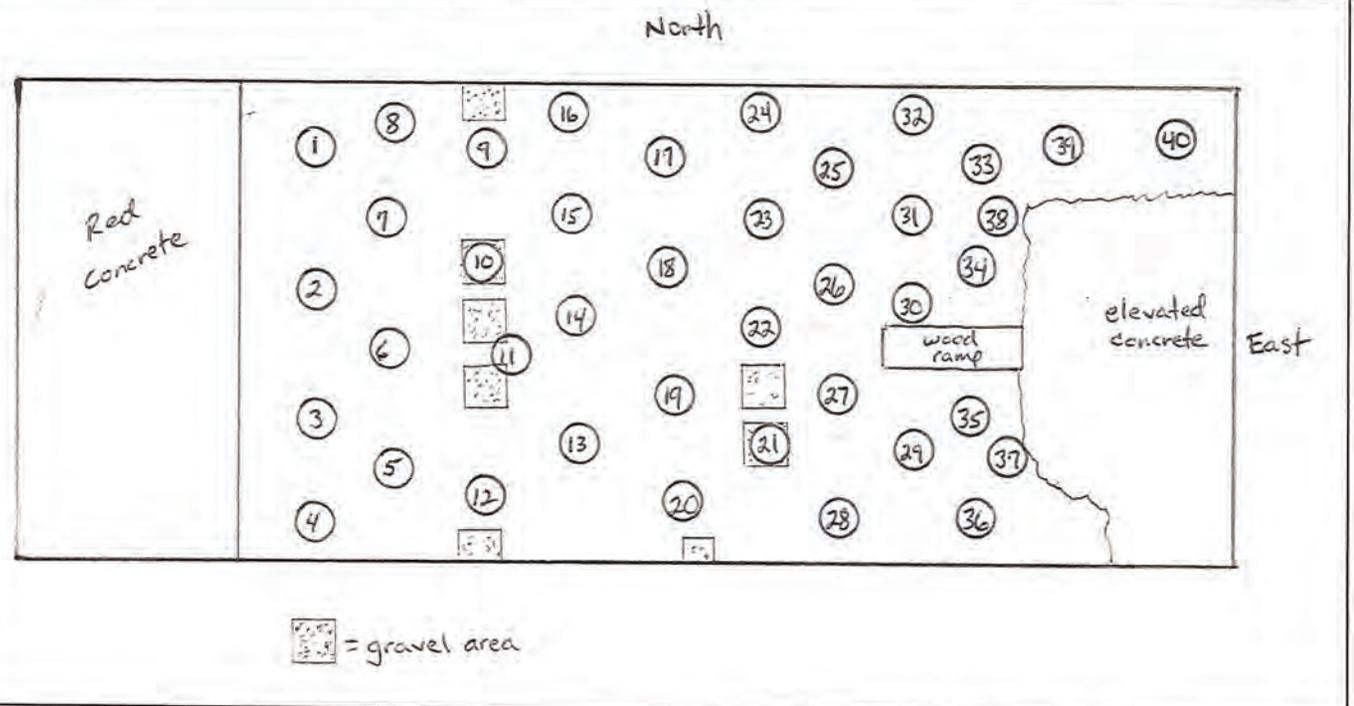
Radiological Survey Map

Page 1 of 17

Radiological Work Permit No.: N/A Purpose: Investigational survey after water infiltration Time: 1000
 Site Name: Mound Location: T bldg- Rooms 40, 41, 43, (red concrete area)
 Technician: L. Oeffner Jr. / Roy L. Mowen Date: 4/26/16 Reviewer: Todd Anderson Date: 2016/05/17

Instrument 1		Instrument 2		Instrument 3	
Instrument/Probe Model	<u>Lud-2360 / Lud-4389</u>	Instrument/Probe Model	<u>Lud-3030</u>	Instrument Model	<u>N/A</u>
Instrument Serial No.	<u>177/24</u>	Instrument Serial No.	<u>210739</u>	Instrument Serial No.	<u>N/A</u>
Probe Serial No.	<u>RN16708</u>	Probe Serial No.	<u>N/A</u>	Probe Serial No.	<u>N/A</u>
Calibration Due	<u>3/15/17</u>	Calibration Due	<u>3/14/17</u>	Calibration Due	<u>N/A</u>
Efficiency	α <u>19.74%</u> β <u>23.06%</u>	Efficiency	α <u>30.1%</u> β <u>41.1%</u>	Background	<u>N/A</u>
BKGD (cpm):	α <u>5</u> β <u>27</u>	BKGD (cpm):	α <u>0</u> β <u>30</u>		
Area Probe Correction Factor	<u>1</u>	Area Probe Correction Factor	<u>1</u>		

- Standardized Symbols for Surveys
- = Tape press (4"x4") (no. inside)
 - = Smears (no. inside)
 - = Large area smears
 - = Air samples (no. inside)
 - = Neutron readings in mrem/hr unless otherwise noted
 - = Gamma readings in μ m/hr unless otherwise noted (beta readings also)
 - * = Contact readings (dose rate)
 - [HS] = Hot spot
 - [SOP] = Step-off pad
 - K = Reading at knee level (when sources from overhead)
 - H = Reading at head level (when sources from overhead)
 - = Contaminated area
 - XXXXX = Radiation area
 - x-x-x- = Contaminated/radiation area
 - RM = Radioactive material area
 - ⊗ = Floor drain
 - cpm or ncpm = Corrected or net cpm (gross background) for direct frisk, alpha or beta/gamma specified
 - # = Direct frisk
- Highest Dose Rates
- General Area N/A
- Contact A
- Highest Contamination Level
- Fixed β - γ = 781, α = 46 dpm/100cm²
- Loose β - γ = 27, α = 9 dpm/100cm²



File Index No.: _____

Radiological Survey Map (continued)

Item Surveyed	Location Surveyed	Direct Survey						Smear Survey						Inst. No. Used
		Gross Counts		Net Counts ^a		Activity ^b		Gross Counts		Net Counts ^a		Activity ^b		
		Beta/Gamma cpm	Alpha cpm	Beta/Gamma cpm	Alpha cpm	Beta/Gamma dpm/100 cm ²	Alpha dpm/100 cm ²	Beta/Gamma cpm	Alpha cpm	Beta/Gamma cpm	Alpha cpm	Beta/Gamma dpm/100 cm ²	Alpha dpm/100 cm ²	
floor	1	146	5	119	0	516	≤ bkgd	35	1	5	1	12.17	3.32	1, 2
	2	141	4	114	0	494	≤ bkgd	25	1	0	1	≤ Bkgd	3.32	
	3	207	5	180	0	781	≤ bkgd	33	1	3	1	7.30	3.32	
	4	133	8	106	3	460	15	38	0	8	0	19.46	≤ Bkgd	
	5	156	7	129	2	559	10	34	0	4	0	9.73	≤ Bkgd	
	6	143	8	116	3	503	15	29	0	0	0	≤ Bkgd	≤ Bkgd	
	7	140	5	113	0	490	≤ bkgd	31	0	1	0	2.43	≤ Bkgd	
	8	151	7	124	2	538	10	25	0	0	0	≤ Bkgd	≤ Bkgd	
	9	107	7	80	2	347	10	25	0	0	0	≤ Bkgd	≤ Bkgd	
gravel floor	10	82	1	55	0	239	≤ bkgd	34	0	4	0	9.73	≤ Bkgd	
floor	11	150	9	123	4	533	20	24	1	0	1	≤ Bkgd	3.32	
	12	146	14	119	9	516	46	32	0	2	0	4.87	≤ Bkgd	
	13	132	6	105	1	455	5	33	0	3	0	7.30	≤ Bkgd	
	14	118	5	91	0	395	≤ bkgd	33	0	3	0	7.30	≤ Bkgd	
	15	111	7	84	2	364	10	28	0	0	0	≤ Bkgd	≤ Bkgd	
	16	153	6	126	1	546	5	21	1	0	1	≤ Bkgd	3.32	
	17	121	9	94	4	408	20	33	0	3	0	7.30	≤ Bkgd	
	18	121	4	94	0	408	≤ bkgd	32	1	2	1	4.87	3.32	
	19	81	2	54	0	234	↓	35	0	5	0	12.17	≤ Bkgd	
	20	125	5	98	0	425	↓	260	360	0	0	≤ Bkgd	≤ Bkgd	↓

Applicable Limits (check one for alpha and one for beta)
 Alpha (removable/total): 1000/5000 200/1000 20/500
 Beta (removable/total): 1000/5000 200/1000

^aActivity Equation
 Gross count minus BKGD count = Net count
 Net count/Eff = dpm
 Dpm x Area Probe Correction Factor (APCF) = dpm/100 cm²
 APCF
 44-9 = 6.5
 FHZ 732 (GM) = 6.5
 43-10-1 = 1

Remarks: Survey was performed after entire ~~floor~~^{surface} floor was dry.

Released To: N/A

Release: Unrestricted Restricted Other (see remarks)

^bSee Table 2-2 of Site Radiological Control Manual I (LMS/POL/S04322).

TAD 2016/05/17
 Page 2 of 2-17
 still

Radiological Survey Map (continued)

Item Surveyed	Location Surveyed	Direct Survey						Smear Survey						Inst. No. Used
		Gross Counts		Net Counts ^a		Activity ^b		Gross Counts		Net Counts ^a		Activity ^b		
		Beta/Gamma cpm	Alpha cpm	Beta/Gamma cpm	Alpha cpm	Beta/Gamma dpm/100 cm ²	Alpha dpm/100 cm ²	Beta/Gamma cpm	Alpha cpm	Beta/Gamma cpm	Alpha cpm	Beta/Gamma dpm/100 cm ²	Alpha dpm/100 cm ²	
gravel floor	21	130	12	103	7	447	35	33	0	3	0	7.30	≤ Bkgd	1, 2
floor	22	126	6	99	1	429	5	38	0	8	0	19.46	≤ Bkgd	
	23	127	9	100	4	434	20	23	0	0	0	≤ Bkgd	≤ Bkgd	
	24	116	5	89	0	386	≤ bkgd	33	1	3	1	7.30	3.32	
	25	116	9	89	4	386	20	39	0	9	0	21.90	≤ Bkgd	
	26	104	8	77	3	334	15	36	0	6	0	14.60	≤ Bkgd	
	27	123	7	96	2	416	10	27	0	0	0	≤ Bkgd	≤ Bkgd	
	28	146	11	119	6	516	30	36	0	6	0	14.60	≤ Bkgd	
	29	120	7	93	2	403	10	35	0	5	0	12.17	≤ Bkgd	
	30	82	9	55	4	239	20	26	0	0	0	≤ Bkgd	≤ Bkgd	
	31	137	7	110	2	477	10	34	0	4	0	9.73	≤ Bkgd	
	32	117	9	90	4	390	20	33	0	3	0	7.30	≤ Bkgd	
	33	125	5	98	0	425	≤ bkgd	31	0	1	0	2.43	≤ Bkgd	
	34	137	8	110	3	477	15	41	0	11	0	26.76	≤ Bkgd	
	35	139	7	112	2	486	10	31	0	1	0	2.43	≤ Bkgd	
	36	126	8	99	3	429	15	41	1	11	0	26.76	≤ Bkgd	
	37	128	7	101	2	438	10	23	0	0	0	≤ Bkgd	≤ Bkgd	
	38	128	8	101	3	438	15	28	2	0	2	≤ Bkgd	6.64	
	39	122	5	95	0	412	≤ bkgd	35	0	5	0	12.17	≤ Bkgd	
↓	40	116	10	89	5	386	25	32	0	2	0	4.87	≤ Bkgd	↓

Applicable Limits (check one for alpha and one for beta)

Alpha (removable/total): 1000/5000 200/1000 20/500

Beta (removable/total): 1000/5000 200/1000

Activity Equation

Gross count minus BKGD count = Net count

Net count/Eff = dpm

Dpm x Area Probe Correction Factor (APCF) = dpm/100 cm²

APCF

44-9 = 6.5

FHZ 732 (GM) = 6.5

43-10-1 = 1

Remarks:

Released To: N/A

Release: Unrestricted Restricted Other (see remarks)

^aSee Table 2-2 of Site Radiological Control Manual I (LMS/POL/S04322).

TAD 2016/05/17

PRELIMINARY RESULTS REPORT

RIN: 16047759

Site: Mound SupOpsBuilding

Site Code: MND01 Location: 1

Ticket Number: OFR 670

Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/03/2016	-11.7	U	8.10	16.6	GL-RAD-A-002

PRELIMINARY RESULTS REPORT

RIN: 16047759

Site: Mound SupOpsBuilding

Site Code: MND01 Location: 2

Ticket Number: OFR 671

Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/03/2016	-4.27	U	8.08	15.3	GL-RAD-A-002

PRELIMINARY RESULTS REPORT

RIN: 16047759

Site: Mound SupOpsBuilding

Site Code: MND01 Location: 3

Ticket Number: OFR 672

Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/03/2016	2.56	U	9.07	16.0	GL-RAD-A-002

TAD 2016/05/17

PRELIMINARY RESULTS REPORT

RIN: 16047759

Site: Mound SupOpsBuilding

Site Code: MND01 Location: 4

Ticket Number: OFR 673

Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/03/2016	-0.275	U	9.11	16.6	GL-RAD-A-002

PRELIMINARY RESULTS REPORT

RIN: 16047759

Site: Mound SupOpsBuilding

Site Code: MND01 Location: 5

Ticket Number: OFR 674

Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/03/2016	-4.25	U	8.67	16.4	GL-RAD-A-002

PRELIMINARY RESULTS REPORT

RIN: 16047759

Site: Mound SupOpsBuilding

Site Code: MND01 Location: 6

Ticket Number: OFR 675

Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/03/2016	-2.48	U	8.40	15.6	GL-RAD-A-002

TAA 2016/05/17

PRELIMINARY RESULTS REPORT

RIN: 16047759

Site: Mound SupOpsBuilding

Site Code: MND01 Location: 7

Ticket Number: OFR 676

Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/03/2016	-1.84	U	8.92	16.5	GL-RAD-A-002

PRELIMINARY RESULTS REPORT

RIN: 16047759

Site: Mound SupOpsBuilding

Site Code: MND01 Location: 8

Ticket Number: OFR 677

Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/03/2016	1.37	U	9.35	16.7	GL-RAD-A-002

PRELIMINARY RESULTS REPORT

RIN: 16047759

Site: Mound SupOpsBuilding

Site Code: MND01 Location: 9

Ticket Number: OFR 678

Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/03/2016	-3.65	U	9.07	17.0	GL-RAD-A-002

TBA 2016/05/17

PRELIMINARY RESULTS REPORT

RIN: 16047759
 Site: Mound SupOpsBuilding
 Site Code: MND01 Location: 10
 Ticket Number: OFR 679
 Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/03/2016	-2.36	U	8.15	15.1	GL-RAD-A-002

PRELIMINARY RESULTS REPORT

RIN: 16047759
 Site: Mound SupOpsBuilding
 Site Code: MND01 Location: 11
 Ticket Number: OFR 680
 Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/04/2016	1.37	U	9.43	16.9	GL-RAD-A-002

PRELIMINARY RESULTS REPORT

RIN: 16047759
 Site: Mound SupOpsBuilding
 Site Code: MND01 Location: 12
 Ticket Number: OFR 681
 Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/04/2016	3.37	U	9.35	16.4	GL-RAD-A-002

TAD 2016/05/17

PRELIMINARY RESULTS REPORT

RIN: 16047759

Site: Mound SupOpsBuilding

Site Code: MND01 Location: 13

Ticket Number: OFR 682

Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/04/2016	-0.699	U	9.33	17.0	GL-RAD-A-002

PRELIMINARY RESULTS REPORT

RIN: 16047759

Site: Mound SupOpsBuilding

Site Code: MND01 Location: 14

Ticket Number: OFR 683

Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/04/2016	0.932	U	9.45	17.0	GL-RAD-A-002

PRELIMINARY RESULTS REPORT

RIN: 16047759

Site: Mound SupOpsBuilding

Site Code: MND01 Location: 15

Ticket Number: OFR 684

Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/04/2016	-6.53	U	9.30	17.9	GL-RAD-A-002

2016/05/17

PRELIMINARY RESULTS REPORT

RIN: 16047759

Site: Mound SupOpsBuilding

Site Code: MND01 Location: 16

Ticket Number: OFR 685

Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/04/2016	0.101	U	9.51	17.2	GL-RAD-A-002

PRELIMINARY RESULTS REPORT

RIN: 16047759

Site: Mound SupOpsBuilding

Site Code: MND01 Location: 17

Ticket Number: OFR 686

Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/04/2016	-9.99	U	9.32	18.5	GL-RAD-A-002

PRELIMINARY RESULTS REPORT

RIN: 16047759

Site: Mound SupOpsBuilding

Site Code: MND01 Location: 18

Ticket Number: OFR 687

Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/04/2016	0.556	U	9.43	17.0	GL-RAD-A-002

TJA 2016/05/17

PRELIMINARY RESULTS REPORT

RIN: 16047759

Site: Mound SupOpsBuilding

Site Code: MND01 Location: 19

Ticket Number: OFR 688

Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/04/2016	-3.93	U	8.20	15.5	GL-RAD-A-002

PRELIMINARY RESULTS REPORT

RIN: 16047759

Site: Mound SupOpsBuilding

Site Code: MND01 Location: 20

Ticket Number: OFR 689

Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/04/2016	-8.56	U	8.53	16.8	GL-RAD-A-002

PRELIMINARY RESULTS REPORT

RIN: 16047759

Site: Mound SupOpsBuilding

Site Code: MND01 Location: 21

Ticket Number: OFT 845

Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/03/2016	2.91	U	8.82	15.6	GL-RAD-A-002

TAD 2016/05/17

PRELIMINARY RESULTS REPORT

RIN: 16047759

Site: Mound SupOpsBuilding

Site Code: MND01 Location: 22

Ticket Number: OFT 846

Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/03/2016	-2.63	U	7.61	14.4	GL-RAD-A-002

PRELIMINARY RESULTS REPORT

RIN: 16047759

Site: Mound SupOpsBuilding

Site Code: MND01 Location: 23

Ticket Number: OFT 847

Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/03/2016	7.42	U	10.3	17.6	GL-RAD-A-002

PRELIMINARY RESULTS REPORT

RIN: 16047759

Site: Mound SupOpsBuilding

Site Code: MND01 Location: 24

Ticket Number: OFT 848

Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/03/2016	14.1	U	14.5	24.0	GL-RAD-A-002

TAD 2016/05/17

PRELIMINARY RESULTS REPORT

RIN: 16047759

Site: Mound SupOpsBuilding

Site Code: MND01 Location: 25

Ticket Number: OFT 849

Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/03/2016	10.1	U	10.7	17.8	GL-RAD-A-002

PRELIMINARY RESULTS REPORT

RIN: 16047759

Site: Mound SupOpsBuilding

Site Code: MND01 Location: 26

Ticket Number: OFT 850

Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/03/2016	6.86	U	10.2	17.4	GL-RAD-A-002

PRELIMINARY RESULTS REPORT

RIN: 16047759

Site: Mound SupOpsBuilding

Site Code: MND01 Location: 27

Ticket Number: OFT 851

Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/03/2016	5.84	U	9.06	15.6	GL-RAD-A-002

TJD 2016/05/17

PRELIMINARY RESULTS REPORT

RIN: 16047759
 Site: Mound SupOpsBuilding
 Site Code: MND01 Location: 28
 Ticket Number: OFT 852
 Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/03/2016	1.65	U	8.03	14.4	GL-RAD-A-002

PRELIMINARY RESULTS REPORT

RIN: 16047759
 Site: Mound SupOpsBuilding
 Site Code: MND01 Location: 29
 Ticket Number: OFT 853
 Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/04/2016	-2.33	U	10.6	19.5	GL-RAD-A-002

PRELIMINARY RESULTS REPORT

RIN: 16047759
 Site: Mound SupOpsBuilding
 Site Code: MND01 Location: 30
 Ticket Number: OFT 854
 Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/03/2016	11.7	U	10.1	16.5	GL-RAD-A-002

TAA 2016/05/17

PRELIMINARY RESULTS REPORT

RIN: 16047759
 Site: Mound SupOpsBuilding
 Site Code: MND01 Location: 31
 Ticket Number: OFT 855
 Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/03/2016	7.97	U	11.2	19.1	GL-RAD-A-002

PRELIMINARY RESULTS REPORT

RIN: 16047759
 Site: Mound SupOpsBuilding
 Site Code: MND01 Location: 32
 Ticket Number: OFT 856
 Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/03/2016	5.79	U	9.63	16.6	GL-RAD-A-002

PRELIMINARY RESULTS REPORT

RIN: 16047759
 Site: Mound SupOpsBuilding
 Site Code: MND01 Location: 33
 Ticket Number: OFT 857
 Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/03/2016	3.99	U	9.53	16.7	GL-RAD-A-002

TSD 2016/05/17

PRELIMINARY RESULTS REPORT

RIN: 16047759
 Site: Mound SupOpsBuilding
 Site Code: MND01 Location: 34
 Ticket Number: OFT 858
 Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/03/2016	5.75	U	9.99	17.3	GL-RAD-A-002

PRELIMINARY RESULTS REPORT

RIN: 16047759
 Site: Mound SupOpsBuilding
 Site Code: MND01 Location: 35
 Ticket Number: OFT 859
 Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/03/2016	5.79	U	10.0	17.3	GL-RAD-A-002

PRELIMINARY RESULTS REPORT

RIN: 16047759
 Site: Mound SupOpsBuilding
 Site Code: MND01 Location: 36
 Ticket Number: OFT 860
 Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/04/2016	6.32	U	8.65	14.8	GL-RAD-A-002

TAA 2016/05/17

PRELIMINARY RESULTS REPORT

RIN: 16047759
 Site: Mound SupOpsBuilding
 Site Code: MND01 Location: 37
 Ticket Number: OFT 861
 Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/04/2016	8.87	U	11.6	19.7	GL-RAD-A-002

PRELIMINARY RESULTS REPORT

RIN: 16047759
 Site: Mound SupOpsBuilding
 Site Code: MND01 Location: 38
 Ticket Number: OFT 862
 Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/04/2016	10.3	U	9.94	16.5	GL-RAD-A-002

PRELIMINARY RESULTS REPORT

RIN: 16047759
 Site: Mound SupOpsBuilding
 Site Code: MND01 Location: 39
 Ticket Number: OFT 863
 Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/04/2016	8.44	U	9.52	16.0	GL-RAD-A-002

TBA 2016/05/17
TBA 2016/05/17

PRELIMINARY RESULTS REPORT

RIN: 16047759

Site: Mound SupOpsBuilding

Site Code: MND01 Location: 40

Ticket Number: OFT 864

Report Date: 5/5/2016

Parameter	Units	Date Sampled	Date Analyzed	Result	Qualifier(s)	Uncertainty	Detection Limit	Method
Tritium	dpm/sample	04/26/2016	05/04/2016	9.53	U	9.74	16.2	GL-RAD-A-002

TAD 2016/05/17



Data Review and Validation Report

General Information

Requisition No. (RIN): 16047759
Sample Event: April 26, 2016
Site(s): Mound, Ohio; Swipes
Laboratory: GEL Laboratories, Charleston, South Carolina
Work Order No.: 396341
Analysis: Radiochemistry
Validator: Stephen Donivan
Review Date: May 10, 2016

This validation was performed according to the *Environmental Procedures Catalog* (LMS/POL/S04325), “*Standard Practice for Validation of Environmental Data.*” The procedure was applied at Level 3, Data Validation. See attached Data Validation Worksheets for supporting documentation on the data review and validation. All analyses were successfully completed. The samples were prepared and analyzed using accepted procedures based on methods specified by line item code, which are listed in Table 1.

Table 1. Analytes and Methods

Analyte	Line Item Code	Prep Method	Analytical Method
Tritium	LSC-A-004	GL-RAD-A-002	GL-RAD-A-002

Data Qualifier Summary

None of the analytical results required qualification.

Sample Shipping/Receiving

GEL Laboratories in Charleston, South Carolina, received 40 swipes on April 29, 2016, accompanied by Chain of Custody (COC) forms. The COC forms were checked to confirm that all of the samples were listed with sample collection dates and times, and that signatures and dates were present indicating sample relinquishment and receipt. The COC forms were complete with no errors or omissions. The air waybill numbers were listed on the receiving documentation.

Preservation and Holding Times

The sample shipment was received intact at ambient temperature, which complies with requirements. All samples were received in the correct container types; sample preservation was not required. Sample analysis was completed within the applicable holding times.

Detection and Quantitation Limits

For radiochemical analytes (those measured by radiometric counting) the results are evaluated using the minimum detectable concentration (MDC), Decision Level Concentration (DLC), and Determination Limit (DL). The MDC is a measure of radiochemical method performance and was calculated and reported as specified in the *Quality Systems Manual*. The DLC is the minimum concentration of an analyte that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero, and is estimated as 3 times the one-sigma total propagated uncertainty. Results that are greater than the MDC, but less than the DLC are qualified with a “U” flag (not detected). The DL for radiochemical results is the lowest concentration that can be reliably measured, and is defined as 3 times the MDC. Results not previously “U” qualified that are less than the DL are qualified with a “J” flag as estimated values. All sample results were below the DLC. The reported MDCs demonstrate compliance with contractual requirements.

Laboratory Instrument Calibration

Compliance requirements for satisfactory instrument calibration are established to ensure that the instrument is capable of producing acceptable qualitative and quantitative data for all analytes. Initial calibration demonstrates that the instrument is capable of acceptable performance in the beginning of the analytical run. Compliance requirements for continuing calibration checks are established to ensure that the instrument continues to be capable of producing acceptable qualitative and quantitative data. All laboratory instrument calibrations were performed correctly in accordance with the cited methods. All calibration and laboratory spike standards were prepared from independent sources.

Liquid Scintillation Counting

Liquid scintillation instrument calibrations were performed on August 1, 2015. Calibrations resulted in quench curves covering a quench number range of 134 – 364. The sample quench values were all within the calibration range. Daily calibration checks were performed May 3–4, 2016 with acceptable results.

Method Blanks

Method blanks are analyzed to assess any contamination that may have occurred during sample preparation. The tritium method blank results were less than the DLC.

Laboratory Control Sample

Laboratory control samples were analyzed at the correct frequency to provide information on the accuracy of the analytical method and the overall laboratory performance, including sample preparation. All control sample results were acceptable.

Laboratory Duplicate Analysis

Laboratory replicate analyses are used to determine laboratory precision. For radiochemical measurements, the relative error ratio (the ratio of the absolute difference between the sample and duplicate results and the sum of the 1-sigma uncertainties) is used to evaluate duplicate results and should be less than 3. All laboratory control sample duplicate results met these criteria.

Completeness

Results were reported in the correct units for all analytes requested using contract-required laboratory qualifiers.

Electronic Data Deliverable (EDD) File

The EDD file arrived on May 5, 2016. The Sample Management System EDD validation module was used to verify that the EDD file was complete and in compliance with requirements. The module compares the contents of the file to the requested analyses to ensure all and only the requested data are delivered. The contents of the EDD were manually examined to verify that the sample results accurately reflect the data contained in the sample data package.



Stephen E. Donovan

2016.06.08

09:24:50 -06'00'

Report Prepared By: _____

Stephen Donovan
Laboratory Coordinator

SAMPLE MANAGEMENT SYSTEM

General Data Validation Report

RIN: 16047759 Lab Code: GEN Validator: Stephen Donovan Validation Date: 5/10/2016

Project: Mound SupOpsBuilding Analysis Type: Metals General Chem Rad Organics

of Samples: 40 Matrix: Filter Requested Analysis Completed: Yes

Chain of Custody

Present: OK Signed: OK Dated: OK

Sample

Integrity: OK Preservation: OK Temperature: OK

Select Quality Parameters

- Holding Times
- Detection Limits
- Field/Trip Blanks
- Field Duplicates

All analyses were completed within the applicable holding times.

The reported detection limits are equal to or below contract requirements.

SAMPLE MANAGEMENT SYSTEM
Radiochemistry Data Validation Worksheet

RIN: 16047759 **Lab Code:** GEN **Date Due:** 5/6/2016
Matrix: Water **Site Code:** MND07 **Date Completed:** 5/5/2016

Sample	Analyte	Date Analyzed	Result	Flag	Tracer %R	LCS %R	MS %R	Duplicate RER
Blank_Spike	Tritium	05/04/2016				83.90		
Blank_Spike_Du	Tritium	05/04/2016				78.10		2.70
Blank_Spike_Du	Tritium	05/04/2016				99.50		0.10
Blank	Tritium	05/04/2016	2.1000	U				
Blank	Tritium	05/04/2016	6.0000	U				
Blank_Spike	Tritium	05/05/2016				77.90		

Appendix D

2012 Core Team IC Guidance

**Form: Request for Regulatory Approval of New Site Activity
Example of Real-Estate Easement for Utility Work**

Appendix D

Contents

1. 2012 Core Team IC Guidance
2. Example Form: Request for Regulatory Approval of New Site Activity
3. Example of Real-Estate Easement for Utility Work

2012 Core Team IC Guidance



The Mound Core Team
250 East Fifth Street, Suite 500
Cincinnati, Ohio 45202

9/12/12 Update

Purpose

The Core Team has prepared the following guidance for assisting with compliance with the existing Mound Site Institutional Controls (ICs). Mound Development Corporation (MDC), or any other future owners of Mound Site property, can use the following guidance and best management practices to maintain compliance with Mound Site ICs when conducting future site activities. It is important to note that this guidance is not intended to be all inclusive, and requirements, including this document, could be subject to change or updating based on site activities, future remedy changes or changes to existing environmental laws.

Background Summary

The former Mound Site Property was remediated under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) with associated Records of Decision (RODs) requiring adherence to enforceable Institutional Controls (IC's).

Records of Decision

The following are the approved RODs for the Mound Site:

1. *Operable Unit 1 Record of Decision, Final, June 1995 (amended in 2011)*
2. *Record of Decision for Release Block D, Final February 1999*
3. *Record of Decision for Release Block H, Final June 1999*
4. *Parcel 3 Record of Decision, Final, August 2001*
5. *Parcel 4 Record of Decision, Final, February 2001*
6. *Phase 1 Record of Decision, Final, July 2003*
7. *Miami-Erie Canal, Record of Decision, Final September 2004 (OU-4)*
8. *Parcels 6, 7, and 8 Record of Decision, August 2009*
9. *Amendment of the Operable Unit 1 Record of Decision, August 2011*

2012 Core Team IC Guidance

Institutional Controls (ICs)

The Mound Site RODs, except for the OU4 Miami Erie Canal area, require ICs in the form of deed restrictions or an environmental covenant. The U.S. Department of Energy (DOE) is the lead agency with the responsibility to monitor, maintain and enforce the ICs. The U.S. Environmental Protection Agency (EPA), the Ohio Environmental Protection Agency (Ohio EPA), and the Ohio Department of Health (ODH) provide independent oversight and authority to approve requests regarding IC compliance. The ICs are designed to ensure:

- Maintenance of industrial or commercial land use and prohibition of residential land use.
- Prohibition against the use of groundwater without prior approval by EPA and Ohio EPA.
- Prohibition against the removal of soils from the Mound Site boundary (as of 1998) to offsite locations without prior approval. by EPA, Ohio EPA, and ODH.
- Allowing site access for federal and state agencies for the purpose of taking response actions, including sampling and monitoring.

The Parcels 6, 7 and 8 ROD includes the following additional institutional control requirements:

- Prohibition against the penetration of concrete floors in specified rooms in T Building without prior approval by EPA, Ohio EPA, and ODH.
- Prohibition against the removal of concrete floor material in specified rooms in T Building to offsite locations without prior approval by EPA, Ohio EPA, and ODH.

Details on the ICs listed above are included in the *Mound Site Operations and Maintenance Plan*, (O&M), Section 3, IC Management and Land Use Control. Additional information regarding each parcel and the associated ICs is included in the individual ROD for the specific parcel(s). These RODs are available on the DOE Office of Legacy Management (LM) website http://www.lm.doe.gov/CERCLA_Home.aspx.

Implementation – Best Management Practice

Implementation of the above IC language in contract and work planning documents may be accomplished as follows:

IC #1 - Maintenance of industrial or commercial land use and prohibition of residential land use.

Continue regular observation of site activities for signs of use other than industrial.

Allow no single or multi-family dwellings or rental units; day care facilities; schools or other educational facilities for children under 18 years of age; and no community centers, playgrounds or other recreational or religious facilities for children under 18 years of age are permitted on the property.

2012 Core Team IC Guidance



Fishing is considered recreational use and is prohibited. The photo above shows two individuals observed fishing in a Mound facility pond in Parcel 4. Note the “Recreational Use Prohibited” sign in the foreground. DOE, EPA, and Ohio EPA considered the exposure assumptions used to develop the industrial/commercial cleanup standards for the Mound site and concluded that occasional visits to the retention pond by area residents will not result in an unacceptable risk to the visitors.

However, if recreational activities are observed, MDC and future property owners will continue to monitor and discourage these unauthorized uses. Continued fishing or other recreational activities may result in more rigorous enforcement of ICs

IC#2 - Prohibition against the use of groundwater without prior approval from EPA and Ohio EPA.

No new wells may be installed on the Mound Site without prior approval from EPA and Ohio EPA. Groundwater use is prohibited.

IC#3 - Prohibition against the removal of soils from the Mound Site boundary (as of 1998) to offsite locations without prior approval. by EPA, Ohio EPA, and ODH.

One small area at the northeast corner of the site along Mound Road is excepted from this prohibition as described in the O&M Plan.

On typical plans that involve excavation, the following are examples of what should be considered for compliance with ICs:

2012 Core Team IC Guidance

- Earthwork/Demolition -- Due to deed restrictions, no soil shall be removed from the Mound Site without EPA and Ohio EPA approval. Excavated material may be used as fill in other areas on the project within the former Mound Site boundary. Spoil areas on the Mound Site shall be coordinated with the landowner. All materials removed from the site must be hauled per state and federal regulations.
- Soil -- No soil is allowed to leave the Mound Site without written approval of the EPA, Ohio EPA, and ODH. All excavated soil materials may be transported within the area of the Mound Site to an area or areas on site designated by the landowner.
- Concrete/Asphalt and Other Large Miscellaneous Debris – Prior to removal from the Mound Site, turn debris over and remove excess soils. *The following photo shows concrete removed during the construction of the Vanguard Blvd. extension. The removal of residual soil material on the concrete is viewed as being adequate for off site disposal.*



Trees – Prior to removal from the Mound Site, remove the majority of dirt from the root ball.

The photo below from the Vanguard Project shows a tree that was removed and cleared of excess soil for off property disposal.

2012 Core Team IC Guidance



IC#4 - Provide site access for federal and state agencies for the purpose of taking response actions, including sampling and monitoring:

All future work planned at the former Mound site should include a provision allowing for federal and state agency access to the site.

IC#5 - The ROD for Parcels 6, 7 and 8 includes the following additional institutional control requirements:

- Prohibition against the penetration of concrete floors in specified rooms in T Building without prior approval by EPA, Ohio EPA, and ODH.
- Prohibition against the removal of concrete floor material in specified rooms in T Building to offsite locations without prior approval by EPA, Ohio EPA, and ODH.

In a Position Paper, *T Building Special ICs Core Team Agreement and Position Paper*, dated June 29, 2009, the Core Team previously addressed compliance with restrictions against penetration of the floor in certain areas of T Building. Please refer to Sections 3.6.4 and 3.6.5 and Appendix B of the *Mound Site Operations and Maintenance Plan LMS/MND/S08406-0.0* for further details.

2012 Core Team IC Guidance

As mentioned above, this guidance is not intended to address every circumstance that may require compliance with ICs. For questions or further information, please contact the DOE Legacy Management at:

Grand Junction 24-Hour Monitored Security Telephone Numbers
(970) 248-6070 or (877) 695-5322
Website: <http://www.lm.doe.gov>

Gwendolyn Hooten, LM Mound Site Manager
U.S. Department of Energy/LM-20.1
10995 Hamilton-Cleves Highway
Harrison, OH 45030-9728
(513) 648-3148
Gwen.Hooten@lm.doe.gov

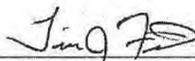
DOE:

**Gwen N
Hooten**

Digitally signed by Gwen N Hooten
DN: cn=us, o=U.S. Government,
ou=Department of Energy,
ou=Headquarters, ou=People,
cn=Gwen N Hooten
Date: 2012.09.13 09:52:33 -0600

Gwendolyn Hooten, Site Manager

USEPA:

 9/13/12
Timothy J. Fischer, Remedial Project Manager

OEPA:

Brian Nickel

Digitally signed by Brian Nickel
DN: cn=Brian Nickel, o=Ohio EPA,
ou=DEPR/SWDO,
email=Brian.Nickel@epa.state.oh.us, c=US
Date: 2012.09.13 14:02:43 -0400

Brian K. Nickel, Project Manager

Example Form: Request for Regulatory Approval of New Site Activity

Mound Site, Miamisburg, Ohio Request for Regulatory approval of new site activity

This is a formal request to the Environmental Protection Agency (EPA) and the Ohio EPA to provide written approval of an activity not generally covered by the institutional controls at the Mound Site. The institutional controls are part of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) remedies established in the Records of Decision for the Mound Site.

The Mound site institutional controls run with the land in the form of restrictions and covenants in quitclaim deeds or activity and use limitations in the Environmental Covenant. See the *Operations and Maintenance (O&M) Plan for the U.S. Department of Energy Mound Site, Miamisburg, Ohio*, for details on records of decision.

- Maintenance of industrial or commercial land use and prohibition against residential land use.
- Prohibition against the use of groundwater without prior written approval from EPA and Ohio EPA.
- Prohibition against the removal of soil from within the site boundary (as of 1998) to offsite locations without prior written approval from EPA, Ohio EPA, and ODH.
- Prohibition against the removal of concrete floor material in specified rooms of T Building to offsite locations without prior written approval from EPA, Ohio EPA, and ODH.
- Prohibition against the penetration of concrete floors in specified rooms of T Building locations without prior written approval from EPA, Ohio EPA, and ODH.
- Allowing site access for federal and state agencies for the purpose of sampling and monitoring.

Submitting Organization: _____
Sponsoring Organization: _____
Date Submitted: _____

1. The proposed activity:
2. Describe the proposed site activity. (Add supplemental documentation to this form if required)
3. Does the proposed activity violate any of the following restricted uses described in quitclaim deeds and the Environmental Covenant? Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none">• Will not use, or allow the use of, the Premises for any residential or farming activities, or any other activities which could result in the chronic exposure of children under eighteen years of age to soil or groundwater from the Premises. Restricted uses shall include, but not be limited to:<ol style="list-style-type: none">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;4) community centers, playgrounds, or other recreational or religious facilities for children under eighteen years of age• Will not extract, consume, expose, or use in any way the groundwater underlying the premises without the prior written approval of the EPA and the Ohio EPA.• Will not remove soil from the property except for exempted area in northeast corner Parcel H, without the prior written approval of the EPA and the Ohio EPA.
4. Is this a short-term or permanent activity? If short term, what duration do you anticipate? Specific date(s)?
5. When do you wish to begin this activity?

Request for Regulatory approval of Mound Site activity

12/30/2013

Example Form: Request for Regulatory Approval of New Site Activity

Mound Site, Miamisburg, Ohio Request for Regulatory approval of new site activity

6. What ages of individuals would participate in this activity?
7. Estimate an average duration of time on site that these individuals participate in this activity? (hours per day x number of days per year; or hours per month; or total hours per year)
8. Does a risk assessment need to be performed? Attach a copy.

FOR REGULATOR USE ONLY
1. What is the basis for approval/disapproval?
2. What actions, precautions, notifications (if any) are required to mitigate risk?

Approvals:

Print name	Signature	Date
U.S. Environmental Protection Agency Representative		

Print name	Signature	Date
Ohio Environmental Protection Agency Representative		

Concurrence:

Print name	Signature	Date
U.S. Department of Energy Representative		

Request for Regulatory approval of Mound Site activity

12/30/2013

Example Real Estate Easement for Utility Work

NO TRANSFER
08:01aa MARCH 20, 2003
KARL L. KEITH, COUNTY AUDITOR

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 18th 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,

3:12:27
EASE-03-03B151 0023
Montgomery County
Judy Dodge Recorder

Example Real Estate Easement for Utility Work

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.

Example Real Estate Easement for Utility Work

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 Wysocki
NOTARY PUBLIC

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

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

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Appendix E

Aerial Photo with ROD Parcel Boundaries, March 2016

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Figure E-1. Mound Site 2016 Aerial Photo Showing ROD Parcel Boundaries

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