



Department of Energy
Ohio Field Office
Fernald Environmental Management Project
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(513) 648-3155



NOV 14 2003

Mr. James A. Saric, Remedial Project Manager
 United States Environmental Protection Agency
 Region V, SR-6J
 77 West Jackson Boulevard
 Chicago, Illinois 60604-3590

DOE-0040-04

Mr. Tom Schneider, Project Manager
 Ohio Environmental Protection Agency
 401 East 5th Street
 Dayton, Ohio 45402-2911

Mr. Bill Kurey
 United States Fish & Wildlife Service, Suite H
 6950 American Parkway
 Reynoldsburg, OH 43068

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

TRANSMITTAL OF THE DRAFT INSTITUTIONAL CONTROLS PLAN

Reference: Letter DOE-0436-03 from G. Griffiths to J. Saric and T. Schneider,
 "Institutional Controls," dated August 5, 2003

Enclosed for your review and comment is the draft Institutional Controls Plan (ICP) for the Fernald Closure Project (FCP). A draft of the Plan is required for submittal to the United States Environmental Protection Agency (USEPA) and Ohio Environmental Protection Agency (OEPA) by November 15, 2003 per the above reference.

This ICP details how the United States Department of Energy (DOE) will: 1) maintain, monitor, enforce and report on institutional controls; 2) maintain, monitor, and inspect the On-Site Disposal Facility (OSDF); and 3) manage OSDF leachate as outlined in the Post Closure Care and Inspection Plan and/or the OSDF Groundwater/Leak Detection and Leachate Monitoring Plan.

The ICP is Volume II of the Comprehensive Legacy Management and Institutional Controls Plan. Volume I, formerly the Comprehensive Stewardship Plan, will outline DOE policy on stakeholder involvement and records management. Volume I will be updated after input

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has been received from the new Office of Legacy Management and will be submitted with the next revision of the ICP. As proposed, the ICP is a distinct component (Volume II) of the Comprehensive Legacy Management and Institutional Controls Plan and is the only plan that will result in EPA enforceability.

The support plans identified as attachments to the ICP contain more detail regarding the requirements for monitoring and maintenance of the FCP and other required post-closure activities. *Currently, the support plans are in various states of revision and are not included with the Plan at this time.* It is expected that revised versions of the support plans can be submitted with the next revision of the ICP.

If you have any questions regarding this matter, please contact Jay Jalovec at (513) 648-3122 or Johnny Reising at (513) 648-3139

Sincerely,

for 
William J. Taylor
Director

FCP:Jalovec

Enclosure: As Stated

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Mr. James A. Saric
Mr. Tom Schneider
Mr. Bill Kurey

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cc w/enclosure:

J. Jalovec, OH/FCP
J. Reising, OH/FCP
G. Stegner, OH/FCP
T. Schneider, OEPA-Dayton (three copies of enclosure)
G. Jablonowski, USEPA-V, SR-6J
D. Bidwell, FCAB
D. Sarno, FCAB
M. Cullerton, Tetra Tech
F. Bell, ATSDR
M. Shupe, HSI GeoTrans
R. Vandegrift, ODH
AR Coordinator, Fluor Fernald, Inc./MS78

cc w/o enclosure:

R. Greenberg, EM-31/CLOV
N. Hallein, EM-31/CLOV
K. Johnson, OH/FCP
D. Pfister, OH/FCP
D. Carr, Fluor Fernald, Inc./MS1
J. Chiou, Fluor Fernald, Inc./MS64
T. Hagen, Fluor Fernald, Inc./MS1
M. Jewett, Fluor Fernald, Inc./MS52-5
L. Ludwick, Fluor Fernald, Inc./MS65-2
D. Powell, Fluor Fernald, Inc./MS64
E. Woods, Fluor Fernald, Inc./MS65-2
ECDC, Fluor Fernald, Inc./MS52-7