

**COMPREHENSIVE LEGACY MANAGEMENT
AND
INSTITUTIONAL CONTROLS PLAN**

VOLUME I

Legacy Management Plan

**FERNALD CLOSURE PROJECT
FERNALD, OHIO**



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DRAFT FINAL

U.S. DEPARTMENT OF ENERGY

EXECUTIVE SUMMARY

This Comprehensive Legacy Management and Institutional Controls Plan (LMICP) was developed to document the planning process and the requirements for the long-term care, or legacy management, of the Fernald site. The LMICP is a two-volume document with supporting documents included as attachments to each volume. Volume I provides planning details for the management of the Fernald site that go beyond those identified as institutional controls in Volume II. Primarily, Volume II is a requirement of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), providing institutional controls that will ensure the cleanup remedies implemented at the Fernald site will protect public health and the environment. The format and content of Volume II follow U.S. Environmental Protection Agency (EPA) requirements for institutional controls. Once approved, Volume II becomes enforceable under CERCLA authority. More details follow.

Volume I is the Legacy Management Plan. This plan is not a required document under the CERCLA process; it is not a legally enforceable document, but provides the Department of Energy (DOE) Office of Legacy Management's management plan for maintenance of the Fernald site as a commitment from DOE to carefully maintain the Fernald site following closure. The plan discusses how the DOE, specifically the Office of Legacy Management, will approach legacy management of the Fernald site. It describes the surveillance and maintenance of the entire site, including the on-site disposal facility (OSDF). It explains how the public will continue to participate in the future of the Fernald site. The Community Involvement Plan (CIP), developed by DOE and included as Attachment A, describes this process in detail. Also included in the Legacy Management Plan is a discussion of records and information management. The plan ends with a discussion on funding for legacy management of the site and includes an estimate of costs through fiscal year 2012.

Volume II is the Institutional Controls Plan (IC Plan). The IC Plan is required under the CERCLA remediation process when a physical remedy does not allow for full, unrestricted use or when hazardous materials are left on site. The plan is a legally enforceable CERCLA document and part of the remedy for the site (a requirement of the EPA). The plan outlines the institutional controls that are established and enforced for the entire site, including the OSDF, to ensure continued protection of human health and the environment following completion of the remedy. The IC Plan has four attachments that lend support and provide details regarding the established institutional controls. The attachments provide further detail on the OSDF cap and cover system (Attachment A); the leak detection and leachate management systems for the OSDF (Attachment B); the continuing groundwater remediation (pump and treat) system (Attachment C); and the environmental monitoring that will continue following closure (Attachment D). All of these attachments are currently being used and will continue to be adhered to post-closure.

DOE has tried to make this LMICP as comprehensive as possible, with all necessary information contained in this one document. The final LMICP will be submitted to the EPA and Ohio Environmental Protection Agency (OEPA) in January 2006. A schedule and process for revisions and updates to the LMICP will be determined and discussed in the January 2006 version.

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VOLUME I

LEGACY MANAGEMENT PLAN

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LIST OF ACRONYMS

AEC	Atomic Energy Commission
AWWT	advanced wastewater treatment facility
CAWWT	converted advanced waste water treatment facility
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
CIP	Community Involvement Plan
DOE	U.S. Department of Energy
EPA	U.S. Environmental Protection Agency
FCAB	Fernald Citizens Advisory Board
FCP	Fernald Closure Project
FEMP	Fernald Environmental Management Project
FFCA	Federal Facilities Compliance Agreement
FMPC	Feed Materials Production Center
FRESH	Fernald Residents for Environmental Safety and Health
FRL	final remediation level
GEMS	Geospatial Environmental Mapping System
GWLMP	Groundwater/Leak Detection and Leachate Monitoring Plan
IC Plan	Institutional Controls Plan
IEMP	Integrated Environmental Monitoring Plan
LCS	leachate collection system
LDS	leak detection system
LMICP	Comprehensive Legacy Management and Institutional Controls Plan
LSO	Local Stakeholder Organization
MUEF	Multi-use Educational Facility
NARA	National Archives and Records Administration
NDAA	National Defense Authorization Act
NEPA	National Environmental Protection Act
NRDA	Natural Resource Damage Assessment
NRRP	Natural Resources Restoration Plan
OEPA	Ohio Environmental Protection Agency
OMMP	Operations and Maintenance Master Plan
OSDF	on-site disposal facility
OU	operable unit
PCCIP	Post-Closure Care and Inspection Plan
PDF	portable document file

LIST OF ACRONYMS
(Continued)

ppb	parts per billion
RCRA	Resource Conservation and Recovery Act
RI/FS	remedial investigation/feasibility study
ROD	record of decision
SEP	Site-wide Excavation Plan
UF ₄	uranium tetrafluoride
UNH	uranyl nitrate hexahydrate
UO ₃	uranium trioxide
WAC	waste acceptance criteria

1.0 INTRODUCTION

Legacy management is required at the Fernald site to ensure that the remedial actions implemented at the site continue to be effective and protective of human health and the environment following site closure. This Comprehensive Legacy Management and Institutional Controls Plan (LMICP) outlines the Department of Energy's (DOE's) approach to long-term care of the Fernald site. The purpose of the LMICP is to document the planning process and the requirements for long-term care of the Fernald site. It is DOE's intent to continue to refine the LMICP with the involvement of stakeholders and regulators to ensure that legacy management activities are appropriately planned to meet stakeholder and regulatory requirements. The term "legacy management" is used throughout this LMICP and is intended to encompass all activities (formerly referred to as "stewardship" activities) as defined in DOE policy and guidance.

DOE created the Office of Legacy Management to effectively manage the human and environmental liabilities of remediated sites. The Office of Legacy Management includes the Office of Policy and Site Transition (LM-40), which will coordinate the transitions from the Office of Environmental Management to the Office of Legacy Management; and the Office of Land and Site Management (LM-50), which will provide long-term care of the facilities. Site transition teams, lead by LM-40 managers, are comprised of staff from other Office of Legacy Management offices (LM-5, Stakeholder Relations; LM-10, Business and Resource Management; LM-20, Legacy Benefits, Work Force Restructuring and Labor Management; LM-30, Property Management and Community Assistance; and LM-50) to execute the transition activities. The teams actively work with the Office of Environmental Management staff at each site to coordinate scope and schedule. Additional information regarding the Office of Legacy Management can be found at www.lm.doe.gov.

DOE policy and guidance clearly identify protectiveness of the remedies carried out at the Fernald site (e.g., groundwater, on-site disposal facility [OSDF], institutional controls) as the top priority for legacy management. Specifically, the OSDF will require regular monitoring and maintenance to ensure its integrity and performance. The restored areas of the site will also require monitoring to ensure applicable laws and regulations are followed. Departmental policy and funding priorities regarding legacy management emphasize supporting the remedies as described in Fernald's records of decision (RODs).

1.1 PURPOSE AND ORGANIZATION OF THIS LEGACY MANAGEMENT AND INSTITUTIONAL CONTROLS PLAN

Developing the LMICP now, prior to the completion of remediation, allows for more stakeholder involvement and will ensure a more efficient transition to legacy management. It is also necessary so that baseline scope, schedule, and projected costs can be developed and planned for in future legacy management budget allocations. In addition, the personnel most knowledgeable about the site remediation process are readily available as resources for the transition to legacy management. The LMICP provides an overview of the defined end-state, maintenance and monitoring requirements, as well as contingencies that are in place to address any changes made to the end-state.

The Fernald LMICP has been developed as a two-volume set. This first volume is the Legacy Management Plan. The Legacy Management Plan outlines DOE's approach to legacy management, including such issues as stakeholder involvement, information management, and funding. The Community Involvement Plan (CIP) is included at Attachment A to this volume. The CIP defines how DOE will continue to involve the public in legacy management of the Fernald site.

The second volume, the Institutional Controls Plan (IC Plan), outlines the specific surveillance and maintenance requirements for the Fernald site. There are four support plans included in the LMICP as appendices:

- Appendix A, The Operations and Maintenance Master Plan for the Aquifer Restoration and Wastewater Project (OMMP) (DOE 2005d)
- Appendix B, The Post-Closure Care and Inspection Plan; On-site Disposal Facility (PCCIP) (DOE 2005e)
- Appendix C, The Groundwater/Leak Detection and Leachate Monitoring Plan (GWLMP) (DOE 2005b)
- Appendix D, The Integrated Environmental Monitoring Plan (IEMP) (DOE 2005c)

These support plans outline the operational requirements associated with the ongoing groundwater remedy; surveillance and maintenance requirements for the OSDF; surveillance and maintenance for the leachate and groundwater associated with the OSDF; and the environmental monitoring requirements necessary to ensure completion and effectiveness of the remedies.

DOE is required to conduct legacy management activities at facilities that have achieved completion of site remediation (refer to Section 1.2). The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) requires institutional controls be part of selected remedies where land-use restrictions are placed on the property. The Fernald site remedies include use restriction, an undeveloped park, waste disposal (the OSDF), and continuing groundwater extraction and treatment. DOE has followed U.S. Environmental Protection Agency (EPA) guidance on institutional controls (refer to Section 1.2). Existing laws, regulations, policies, and directives provide broad requirements for DOE to conduct legacy management activities. These activities include monitoring, reporting, record keeping, and long-term surveillance and maintenance for various facilities and media, including engineered waste disposal units, and surface and groundwater.

Taking into consideration the current future use plans for the Fernald site, the scope of legacy management activities at the Fernald site falls into two categories: (1) operation and maintenance of the remedies, and (2) surveillance and maintenance in restored areas (areas outside of the OSDF). Legacy management activities related to the maintenance of the remedies will include monitoring and maintenance of the OSDF, the converted advanced wastewater treatment facility (CAWWT) and supporting infrastructure, the extraction wells and associated piping, and the active outfall line to the Great Miami River. The PCCIP includes the details for the OSDF and the OMMP includes the details of the monitoring and maintenance of the CAWWT, groundwater restoration systems, and the active

outfall line. Legacy management activities covering both categories also include ensuring that remedy-driven restrictions on access and use of the Fernald site are enforced, information management and education. Surveillance and maintenance in restored areas will focus on protecting natural and cultural resources in accordance with applicable laws and regulations.

This LMICP will be revised and updated with stakeholder and regulator involvement to further refine legacy management planning at the Fernald site. The final LMICP will be issued January 2006, prior to site closure, and will govern long-term surveillance and maintenance of the Fernald site (i.e., it will function as the Long-Term Surveillance and Maintenance Plan).

The Legacy Management Plan (Volume I) is organized into the following sections to describe planned legacy management activities at the Fernald site, as well as issues related to stewardship.

1.0 Introduction — provides an introduction to this plan and discusses the purpose and necessity of legacy management at DOE facilities.

2.0 Site Background — provides the history of the Fernald site beginning with construction of the site in the 1950s. There is a discussion of the production activities, the Fernald site's remediation, and the anticipated conditions at the time of site closure.

3.0 Scope of Legacy Management at the Fernald Site — discusses the scope of legacy management at the Fernald site, including management of site property, legacy management of the OSDF, and surveillance and maintenance of restored area.

4.0 Oversight of Legacy Management at Fernald — describes the breakdown of responsibilities of legacy management activities at the Fernald site, including the Office of Legacy Management, contractors, regulators, the CERCLA five-year review, and reporting requirements.

5.0 Public Participation — describes the role the public will play in the legacy management of the Fernald site. The CIP is included as Attachment A and provides greater detail on how DOE will continue to communicate with and involve the public in legacy management at the Fernald site.

6.0 Records Management — describes the importance of records management, preservation, and their applicability to legacy management. This section also describes various avenues for record management during legacy management.

7.0 Funding — discusses the funding needed to implement and sustain a legacy management program at the Fernald site. The Summary Legacy Management Budget Estimate is included in Appendix A.

1.2 PURPOSE OF LEGACY MANAGEMENT

In recent years, DOE has increased focus on the need for legacy management following completion of remediation activities. DOE orders and policies that provide the framework for legacy management include the documents listed below. The term "stewardship" is used in the following descriptions. When these documents were prepared, the term "stewardship" was used instead of "legacy management." As stated above, both terms are used in this Legacy Management Plan and refer to the same process.

- DOE Order 450.1, Environmental Protection Program (DOE 2005a), requires the implementation of sound stewardship practices that are protective of the air, water, land, and other natural and cultural resources affected by DOE operations.

- DOE Order 200.1, Information Management Program (DOE 1996b), provides a framework for managing information, information resources, and information technology investment.
- DOE Order 430.1, Life Cycle Asset Management (DOE 1995b), and DOE Order 4320.1B, Site Development Planning (DOE1992b), identify the analyses that must be conducted in order to determine whether a particular portion of DOE real property is considered to be excess and available for transfer to another entity.
- DOE Order 435.1, Radioactive Waste Management (DOE 2001a), requires DOE radioactive waste management activities to be systematically planned, documented, executed, and evaluated in a manner that protects workers and the public as well as the environment.
- DOE Order 1230.2, American Indian Tribal Government Policy (DOE 1992a), requires DOE sites to consult with potentially affected tribes concerning effects of proposed DOE actions (including real property transfers), and to avoid unnecessary interference with traditional religious practices.
- DOE Order 5400.5, Radiation Protection of the Public and the Environment (DOE 2003), establishes acceptable levels for the release of property on which any radioactive substances or residual radioactive material was present.
- The Secretary of Energy's Land and Facility Use Policy (DOE 1994), and DOE Policy 430.1, Land and Facility Use Planning Policy, (DOE 1996c), state that DOE sites must consider how best to use DOE land and facilities to support critical missions and to stimulate the economy while preserving natural resources, diverse ecosystems, and cultural resources.

Following are other documents and reports that address legacy management issues across the DOE complex and help to better define the activities that may be required for legacy management purposes. (As mentioned before, the term "stewardship," instead of "legacy management," is used in the descriptions.)

- From Cleanup to Stewardship (DOE 1999a) addresses the nature of long-term stewardship at DOE sites, anticipated long-term stewardship at DOE sites, and planning for long-term stewardship.
- A Report to Congress on Long-Term Stewardship (DOE 2001b), required by the FY 2000 National Defense Authorization Act (NDAA), represents the most comprehensive compilation of DOE's anticipated long-term stewardship obligations to date, and provides summary information for site-specific, long-term stewardship scope, cost, and schedule. The report provides a snapshot of DOE's current understanding of stewardship activities and highlights areas where significant uncertainties still remain.
- Managing Data for Long-Term Stewardship (ICF 1998) represents a preliminary assessment of how successfully information about the hazards that remain at DOE sites will be preserved and made accessible for the duration of long-term stewardship.
- Long-Term Stewardship Study (DOE 2000b) describes and analyzes several significant national or crosscutting issues associated with long-term stewardship and, where possible, options for addressing these issues. The principal purposes are to promote information exchange and to provide information on the decision-making processes at the national level and at individual sites.

- The Long-Term Control of Property: Overview of Requirements in Orders DOE 5400.1 and DOE 5400.5 (DOE 1999b) summarizes DOE requirements for radiation protection of the public and environment, with the intent of assisting DOE elements in planning and implementing programs for the long-term control (stewardship) of property.
- Memorandum – Long-Term Stewardship “Guiding Principles” (DOE 2000c) identifies broad concepts pertaining to stewardship and elements identified by Ohio stakeholders as critical to the success of stewardship planning.
- Institutional Controls in RCRA and CERCLA Response Actions at Department of Energy Facilities (DOE 2000a) provides DOE environmental restoration project managers with the information on institutional controls needed to make environmental restoration remedy decisions under the Resource Conservation and Recovery Act (RCRA) and CERCLA.
- Institutional Controls: A Site Manager’s Guide to Identifying, Evaluating and Selecting Institutional Controls at Superfund and RCRA Corrective Action Cleanups (EPA 2000) provides an overview of the types of institutional controls that are commonly available, including their relative strengths and weaknesses. It also provides a discussion of the key factors to consider when evaluating and selecting institutional controls in Superfund and RCRA corrective action cleanups.

Most of the DOE sites that are in the cleanup phases are currently planning their legacy management activities. There are, however, a few facilities at which legacy management has been initiated. The applicable laws and regulations provide a foundation for legacy management practices, but each site is different. Each facility will have to work in conjunction with those laws and regulations, using them as guidelines, to develop legacy management plans that best suit that facility. Part of the legacy management planning at Fernald included a study conducted by Florida International University that resulted in the creation of a database of state and federal laws, regulations, orders, etc. that pertain to legacy management. The database includes titles and summaries of the requirements, including a discussion of their applicability to the Fernald site. A summary report describes the project and the development of the database (FIU 2002).

DOE guidance identifies why we need to address legacy management while remediation is still ongoing (DOE 1999a):

- To provide a smooth transition from cleanup to legacy management
- To emphasize that the cleanup goal in many cases is to reduce and control, not eliminate, risk and cost
- To ensure that Congress, stakeholders and regulators have a clear understanding of the cleanup mission and to clarify that there is an endpoint
- To set realistic expectations and show interim successes and results
- To identify technology research and development needs
- To assure regulators and the public that DOE will not walk away from its post-remediation obligations.

DOE defines stewardship as "all activities required to protect human health and the environment from hazards remaining after remediation is completed" (DOE 1999a). Three categories, or levels, of stewardship are recognized: active, passive, and no stewardship required. Active stewardship is defined as "the direct performance of continuous or periodic custodial activities such as controlling access to the site; preventing releases from a site; performing maintenance operations; or monitoring performance parameters." Passive stewardship is defined as "the long-term responsibility to convey information warning about the hazards at a site or limiting access to, or use of, a site through physical or legal mechanisms." No stewardship is required "where cleanup has been completed to levels that will allow for unrestricted or residential future use" (DOE 1999a). The Fernald site will have a combination of active and passive measures during legacy management of the site. This plan describes both active and passive measures, ranging from regular monitoring and maintenance to land use restrictions and postings.

The input of regulators and the public throughout the legacy management process and providing access to site information during legacy management are also fundamental components of the long-term care of the Fernald site. Public involvement and access to information during legacy management are emphasized in all DOE policy and guidance and this Legacy Management Plan is intended to clearly outline DOE's commitment to those aspects of legacy management.

1.3 APPROACH TO LEGACY MANAGEMENT AT FERNALD

At the Fernald site, completing remediation to levels acceptable for unrestricted use is not feasible, with the exception of the groundwater remedy. As a result, legacy management is necessary to ensure that all remedial efforts continue to be effective and protective of human health and the environment. The OSDF is being constructed to contain waste materials that will remain on at the Fernald site. This facility must be monitored and maintained to ensure its integrity and the public's safety.

1.3.1 Office of Legacy Management Responsibilities

The DOE Office of Environmental Management is responsible for the remediation of the Fernald site. Post-closure (or legacy management) responsibilities will be transferred to the DOE Office of Legacy Management. The Office of Legacy Management will ensure that all legacy management activities are conducted as required. They will be the decision-making body regarding changes in surveillance and maintenance, any engineering changes, any changes in access or public use, etc. The Office of Legacy Management will also be responsible for communicating with regulators and the public regarding legacy management of the Fernald site.

1.3.2 Use of Subcontracts

Operation and maintenance tasks may be carried out by subcontractor services. Examples include minor repairs to fencing, gates, signs, or components of the groundwater infrastructure. Repairs that require earthwork, erosion control, seeding, mowing, clearing, herbicide application, or repair to pumps and piping will be completed by subcontractor services.

Goods and services will be procured according to DOE-approved procurement policies and procedures. These procedures use the best commercial practices and are in compliance with requirements and intent of the federal acquisition regulations and DOE acquisition regulations. The terms and conditions in subcontracts incorporate required flow-down clauses from the prime contract.

As requirements are identified by technical leads, a scope of work will be developed and a solicitation package will be initiated. The package will generally include statements of work, health and safety requirements, estimated costs, and required approvals. The written contracts will also include the appropriate restrictions and prohibited activities for the work to be performed on site. In cases where there are similar existing subcontracts, the existing work scope may be used as a framework for a new subcontract. New subcontracts may be developed through a competitive bid process or through negotiation of a sole-source procurement. Determination of the type of procurement will be made by analyzing the unique nature of the work scope, the critical nature of the services, and the importance of historical information known only by the previous contractor. Although the Office of Legacy Management intends to maximize the use of new subcontracts for most services, there may be a need to request assignment of an existing subcontract in unique circumstances to ensure continuation of a service.

1.3.3 Regulatory Oversight

The regulators will ensure that DOE is performing the required legacy management operations, surveillance, and maintenance activities at the Fernald site, as agreed upon by the DOE and EPA, in consultation with OEPA, in the LMICP. The Office of Legacy Management will be required to implement the requirements of the IC Plan (Volume II) subject to enforcement by the EPA. It is envisioned that both EPA and the Ohio Environmental Protections Agency (OEPA) will play an active role in oversight of legacy management at the Fernald site.

1.3.4 Reporting to Stakeholders

Currently, an annual report is submitted to the stakeholders, which discusses the progress of remediation efforts. Although not specifically defined, it is anticipated that a smaller form of annual reporting to the stakeholders will continue beyond closure and during legacy management. More detail on reporting is provided in Section 4.5 of this plan and Section 5.3 of the IC Plan.

1.3.5 Inspections per Institutional Controls Plan Requirements

Site inspections include inspections of the OSDF cap; the leachate collection system (LCS) and leak detection system (LDS); the CAWWT; extraction wells and associated piping the active outfall line; and perimeter areas of the site. Inspections can be scheduled and unscheduled as needed. These inspections are further defined in the IC Plan (Volume II).

1.3.6 Increase Monitoring As Needed

The Office of Legacy Management has the option of increasing monitoring at any time, as needed. However, any proposed decrease in the frequency of monitoring activities included in the IC Plan will require approval by EPA.

1.4 DOE Management of the Legacy Management Program

The mission of the DOE legacy management program includes providing sustained human and environmental protection through the mitigation of residual risks, and the protection of natural and cultural resources at DOE facilities. The Office of Legacy Management at DOE Headquarters provides overall departmental policy, direction, and program guidance on matters affecting legacy management.

DOE personnel at the Fernald site will work closely with the DOE Ohio Field Office and the Office of Legacy Management to determine what is required for the completion of remedial activities and the implementation of legacy management. The DOE's office at the Fernald site is already fully engaged with the DOE Ohio Field Office and the Office of Legacy Management in planning the closure and long-term care of the Fernald site, including the development of this LMICP.

2.0 SITE BACKGROUND

2.1 SITE DESCRIPTION

2.1.1 Fernald Site Description

The Fernald site is situated on a 1,050-acre tract of land, approximately 18 miles northwest of Cincinnati, Ohio. The Fernald site is located near the unincorporated communities of Ross, Fernald, Shandon, and New Haven (refer to Figure 1). The former production area occupies approximately 136 acres in the center of the site. The waste pit area and the K-65 silos are located adjacent to the western edge of the production area. Paddys Run flows from north to south along the Fernald site's western boundary and empties into the Great Miami River approximately 1.5 miles south of the site. The Fernald site lies on a terrace that slopes gently between vegetated bedrock outcroppings to the north, southeast, and southwest. The site is situated on a layer of glacial overburden, consisting primarily of clay and silt with minor amounts of sand and gravel, that overlies the Great Miami Aquifer. Paddys Run and the Storm Sewer Outfall Ditch, which empties into Paddys Run, have eroded the glacial overburden, exposing the sand and gravel that make up the Great Miami Aquifer.

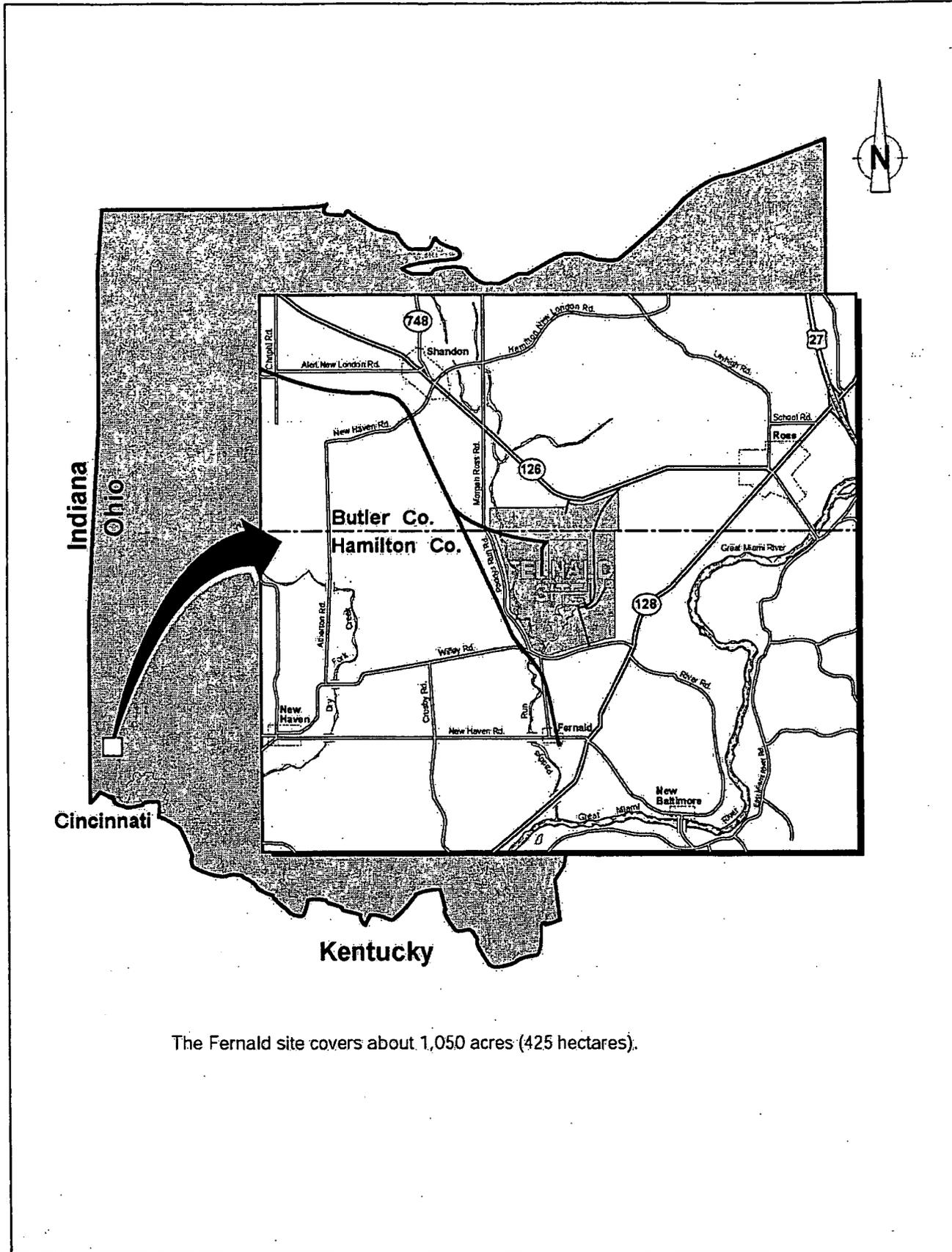
2.1.2 Fernald Site and Surrounding Area

In the vicinity of the Fernald site are the communities of Shandon (northwest), Ross (northeast), New Baltimore (southeast), Fernald (south), and New Haven (southwest) (refer to Figure 1). Land use in the area consists primarily of residential use, farming and gravel excavation operations. Some land in the vicinity of the Fernald site is dedicated to housing development, light industry, and park land. The Great Miami River is located to the east, and, like Paddys Run and the Storm Sewer Outfall Ditch, has eroded away significant portions of the glacial overburden, exposing the sand and gravel that make up the Great Miami Aquifer.

2.2 SITE HISTORY

2.2.1 Feed Materials Production Center

The Feed Materials Production Center (FMPC) was the original name given to the Fernald site. The FMPC was constructed in the early 1950s by the Atomic Energy Commission (AEC) for the purpose of producing enriched uranium metal from ores and process residues for use at other government facilities involved in the production of nuclear weapons for the nation's defense. A variety of materials were utilized throughout the production process, including ore concentrates and recycle materials which were dissolved in nitric acid to produce a uranyl nitrate hexahydrate (UNH) feed solution. The UNH was then concentrated and thermally denitrated to uranium trioxide (UO₃), or orange oxide. The orange oxide was either shipped to the gaseous diffusion plant in Paducah, Kentucky, or was converted to uranium tetrafluoride (UF₄), or green salt. The green salt was blended with magnesium-metal granules and placed in a closed reduction pot to produce a mass of uranium metal called a derby. Some derbies were shipped to other facilities but the remainder were melted and poured into pre-heated graphite molds to form ingots. Some ingots were rolled or extruded to form billets. Small amounts of thorium were also produced at the site from 1954 to 1975. The site then served as a thorium repository for the DOE. Two reports that explain in greater detail the role of the Fernald site within the DOE complex and the



The Fernald site covers about 1,050 acres (425 hectares).

Figure 1. Fernald and Vicinity

processes that took place at the Fernald site are: Historical Documentation of the Fernald Site and Its Role Within the U.S. Department of Energy Weapons Complex (DOE 1998c), and Historical Documentation of Facilities and Structures at the Fernald Site (DOE 1998c).

Uranium metal was produced at the site from 1952 through 1989. During that time up to 1,000,000 pounds of uranium were released to the environment, resulting in contamination of soil, surface water, sediment, and groundwater on and around the site.

2.2.2 Change in Site Mission from Production to Remediation

In July 1986, the DOE and the EPA signed a Federal Facilities Compliance Agreement (FFCA), addressing impacts to the environment associated with the site. The DOE agreed to conduct the FFCA investigation as a remedial investigation/feasibility study (RI/FS) in accordance with the guidelines of CERCLA. In 1989, production ceased at the FMPC due to a decrease in the demand for the feed materials and an increase in environmental restoration efforts. The site was subsequently included on the EPA National Priorities List. In 1991, the site was renamed the Fernald Environmental Management Project (FEMP) and the site was officially closed as a production facility. The DOE's management of the site switched from the Defense Programs division to the Environmental Restoration and Waste Management division. The National Lead Company of Ohio operated the site during most of the production years under contracts with the AEC and DOE. The Westinghouse Environmental Management Company became the site's prime contractor in 1986. In 1992, after conversion of the site's mission to environmental cleanup, DOE awarded an Environmental Restoration Management Contract to the Fernald Environmental Restoration Management Corporation, now known as Fluor Fernald, Inc. DOE awarded a new contract to Fluor Fernald in November 2000 to complete the remediation of the facility. In 2003, DOE changed the site name to Fernald Closure Project. The current site-wide remediation effort is being conducted pursuant to CERCLA. Waste management is being conducted according to RCRA.

2.3 REMEDIATION PROCESS

2.3.1 Summary of Remediation Efforts

CERCLA is the primary driver for environmental remediation of the Fernald site. The site was divided into five operable units (OUs) as follows:

- OU1 – Waste Pits Area
- OU2 – Other Waste Units
- OU3 – Production Area
- OU4 – Silos 1 through 4
- OU5 – Environmental Media.

A RI/FS was conducted for each of the five OUs listed above. Based on the results of the RI/FS, RODs were issued outlining the selected remedy for each OU. A summary of the remedies follows.

The remedy for OU1 includes removing all material from the waste pits, stabilizing the material by drying, and shipping it off site for disposal. The remedy for OU2 includes removing material from the various units, disposing of material that meets the on-site waste acceptance criteria (WACs) in the OSDF,

and shipping all other material off-site for disposal. WACs were developed by DOE and regulators, in consultation with the stakeholders, to strictly control the type of waste disposed on site. The OU3 remedy includes decontaminating and decommissioning all contaminated structures and buildings, recycling waste materials if possible, disposing of material that meets the on-site WACs in the OSDF, and shipping all other material off site for disposal. The OU4 remedy includes removal and treatment of all material from the silos, dismantling of the silos, and shipping the waste materials and silos debris off site for disposal.

OU5 includes all environmental media, including soil, sediment, surface water, groundwater and vegetation. The Site-wide Excavation Plan (SEP) (DOE 1998e) describes the remediation of soils. First material exceeding the WACs for the OSDF will be dispositioned by one of the following: (1) transporting material to an off-site disposal facility for treatment and disposal; (2) treating material on site and transporting to an off-site disposal facility; or (3) treating material on site and disposing of it in the OSDF. Details and exceptions for the above are outlined in the SEP.

Soil and sediment exceeding final remediation levels (FRLs), which are defined in the SEP, but are below the OSDF WACs will be excavated and placed in the OSDF. Soil certification processes will be performed to ensure that excavation has removed all impacted material, as outlined in the SEP.

The OU5 ROD (DOE 1996a) describes the approved remediation method of pump-and-treat for groundwater. The OU5 ROD also committed to continual evaluation of remediation technologies to allow for the improvement of the remedy with new technologies. As a result, an enhanced groundwater remedy, which could reduce groundwater remediation by ten years, was suggested and subsequently approved. The enhanced remedy includes additional extraction wells and the re-injection of treated groundwater to increase the rate at which contaminants move through the aquifer and are removed by the extraction wells.

The primary constituent of concern for groundwater is uranium. Other constituents have been identified and will be removed during the remediation of the uranium. A complete list of all of the constituents identified in groundwater can be found in the OU5 ROD. The FRL for uranium in groundwater is 30 parts per billion. DOE and regulators based the target cleanup levels for groundwater on use of the aquifer as a potable water supply and incorporated Safe Drinking Water Act standards for all constituents for which these standards were available.

Ecological restoration follows remediation and is the final step to completing cleanup of the site. Ecological restoration is being implemented in order to begin to facilitate settlement of a 1986 State of Ohio Claim against the DOE for injuries to natural resources at Fernald under CERCLA. Settlement of the claim is still being negotiated. Restoration activities at the site are also being implemented to address wetland mitigation requirements under the Clean Water Act, and to stabilize and re-vegetate areas impacted during remediation. The approach to ecological restoration of the Fernald site is outlined in the Natural Resource Restoration Plan (NRRP) (DOE 2002c). Compliance with the 2002 NRRP is a closure contract commitment for Fluor Fernald, Inc.

The goal for restoration of the Fernald site is to enhance, restore, and construct as feasible, given post-excavation landforms and soils, the early stages of vegetative communities native to pre-settlement southwestern Ohio. Figure 2 illustrates the conceptual ecological restoration of the Fernald site. Restoration of the Fernald site involves four major components:

1. Expansion/enhancement of the riparian corridor along Paddys Run.
2. Expansion/enhancement of the wooded areas in the northern portion of the Fernald site.
3. Restoring a contiguous prairie in the central and eastern portions of the Fernald site (including the OSDF).
4. Creating open water areas and wetlands throughout the site as topography and hydrology allow.

The construction of public use amenities, such as trails and overlooks, has been discussed as part of the final land use at Fernald; however, no decision has been made regarding such amenities. The decision regarding the amenities is premature until settlement of the Natural Resource claim. It is recognized that there is stakeholder support for public use amenities as a result of the Future of Fernald Process and the Public Use discussions DOE held in the early part of 2002. Settlement negotiations are ongoing and this Legacy Management Plan will be revised to reflect the results of the Natural Resource Damage Assessment (NRDA) negotiations.

2.3.2 Schedule for Completion of Site Remediation

In January 2003, the site's name was changed to the Fernald Closure Project (FCP). DOE's closure contract with Fluor Fernald, Inc. outlines the scope of remediation activities with a target completion date of December 31, 2006. Fluor Fernald currently expects to complete the scope of the contract by March 31, 2006. Fluor Fernald, Inc. has also developed baseline plans and estimates for remedial activities based on the current contract. The process of legacy management or long-term stewardship will begin immediately following Fluor Fernald's Declaration of Physical Completion (this is the point commonly referred to as "closure"). The current baseline schedule shows physical completion occurring on March 31, 2006. Under the scenario currently being discussed with the Office of Legacy Management, legacy management activities would begin on April 19, 2006 with the Office of Legacy Management assuming legacy management responsibilities for the site on that date. The exact timing of the transfer of site responsibilities is dependent on DOE acceptance of Fluor Fernald's Declaration of Physical Completion, and is still being discussed; it may result in modification to the plan outlined above.

2.4 SITE CONDITIONS AT CLOSURE

The following provides an overview of the site conditions after remediation as currently anticipated. It is clear that some remediation will be ongoing as legacy management is initiated. A more definitive description of site conditions at closure and completion will be included in the January 2006 version of this plan.

FERNALD LEGACY MANAGEMENT

Future Use

LAND USE

- 395 acres of Woodlots
- 327 acres of Prairie
- 81 acres of Wetlands
- 60 acres of Open Water
- 75 acres of OSDF
- 33 acres of Savanna
- 30 acres of Development Area
- 49 acres of Infrastructure / Set Aside



Figure 2



Fluor Fernald

2.4.1 On-site Disposal Facility

Based on a pre-design investigation, the most suitable location for the OSDF was determined to be on the eastern side of the Fernald site (refer to Figure 2). The details of the investigation are in the Pre-design Investigation and Site Selection Report for the On-site Disposal Facility (DOE 1995c). This location was considered the best because of the thickness of the gray clay layer that overlies the Great Miami Aquifer.

Construction on Cell 1 of the OSDF was initiated in December 1997 and the permanent cap for Cell 1 was complete in late 2001. When completed, the OSDF will consist of eight individual cells covered by a continuous permanent cap. The final dimensions will be approximately 950 feet east to west, 3,600 feet north to south, with a maximum height of 65 feet. The final Legacy Management Plan will include a reference to the as-built drawings of the OSDF. An anticipated 2.5 million cubic yards of impacted materials will be placed in the facility. It is expected that approximately 80 percent of the material will be impacted soil and the remaining 20 percent will consist of building demolition rubble, fly ash, lime sludge, and small amounts of miscellaneous materials. The PCCIP (Attachment B) provides a summary of the materials permitted to be placed in the OSDF. The volumes and percentages mentioned above are subject to change during the actual remediation process.

The design approach for the OSDF can be found in both the OU2 ROD (DOE 1995a), and the Final Design Calculation Package; On-site Disposal Facility (GeoSyntec 1997). The design includes a liner system, impacted material placement, final cover system, leachate management system, surface water management system, and other ancillary features.

A buffer area and perimeter fence will be established around the disposal facility (total area of approximately 123 acres). Institutional controls are described in further detail in the IC Plan (Volume II) with additional details included in the PCCIP, OU2 ROD, and OU5 ROD.

2.4.2 Restored Areas

Approximately 904 acres of the Fernald site will be ecologically restored. Restored areas are those areas of the site that have been graded following remedial excavation, amended, planted and/or enhanced to create the early stages of ecosystems comparable to native pre-settlement southwestern Ohio. The specific habitats to be restored include upland forest, riparian forest, tallgrass prairie/savanna, and wetlands/open water (refer to Figure 2). In addition, existing habitats (such as the pine plantations) will undergo enhancements. Following are brief summaries of the planned habitat restorations. Details of the actual projects to be completed and further details on the restored areas are described in the NRRP (DOE 2002c).

Upland Forest: Upland forest areas exist in a northern portion, a southern portion and the western perimeter of the site. Restoration activities will be conducted to expand these forested areas. The Site-wide Characterization Report (DOE 1993) describes the Fernald site as existing in a transition zone between the Oak-Hickory and Beech-Maple sections of the Eastern Deciduous Forest province. That is, a mosaic of both Oak-Hickory and Beech-Maple forest types can be found in southwest Ohio. Forest communities at the Fernald site would gradually move toward one of these forest types, depending on site-specific factors such as topography and hydrology. Therefore, restoration of upland forests at the Fernald site will focus on the establishment of this Beech-Maple, Oak-Hickory transition zone. The trees that will be used are native to southwestern Ohio and are listed in the NRRP, Table 3-1.

Riparian Forest: Riparian corridors exist along Paddys Run and the Storm Sewer Outfall Ditch. Restoration activities will be conducted to expand these corridors through re-vegetation. The trees species selected are those that can withstand periodic inundation and are listed in the NRRP. The Paddys Run floodplain will be expanded as part of the long-term management plan for Paddys Run.

Tallgrass Prairie/Savanna: The current waste pit, production, OSDF, and borrow (east field) areas will become a contiguous prairie. Some prairie/savanna will be established along the western perimeter of the site but concentration will be primarily in formerly disturbed areas. Prairie restoration will involve amending soil, if necessary, seeding of grasses and forbs (wildflowers). All grasses and forbs will be native to the area.

Savannas will be established by planting a sparse mix of trees and shrubs, and seeding the area with native grasses.

Wetlands/Open water: Wetlands and open water areas will be established throughout the site where topography permits. The former production area will have open water areas as a result of deep excavations, and wetlands will be established throughout the site. DOE is responsible for providing 17.8 acres of mitigated wetlands under Section 404 of the Clean Water Act. In addition to mitigating wetlands, upland and riparian forest re-vegetation in various areas could be designed to restore wet woods. Details and drivers for wetland mitigation are described in the NRRP.

2.4.3 Groundwater

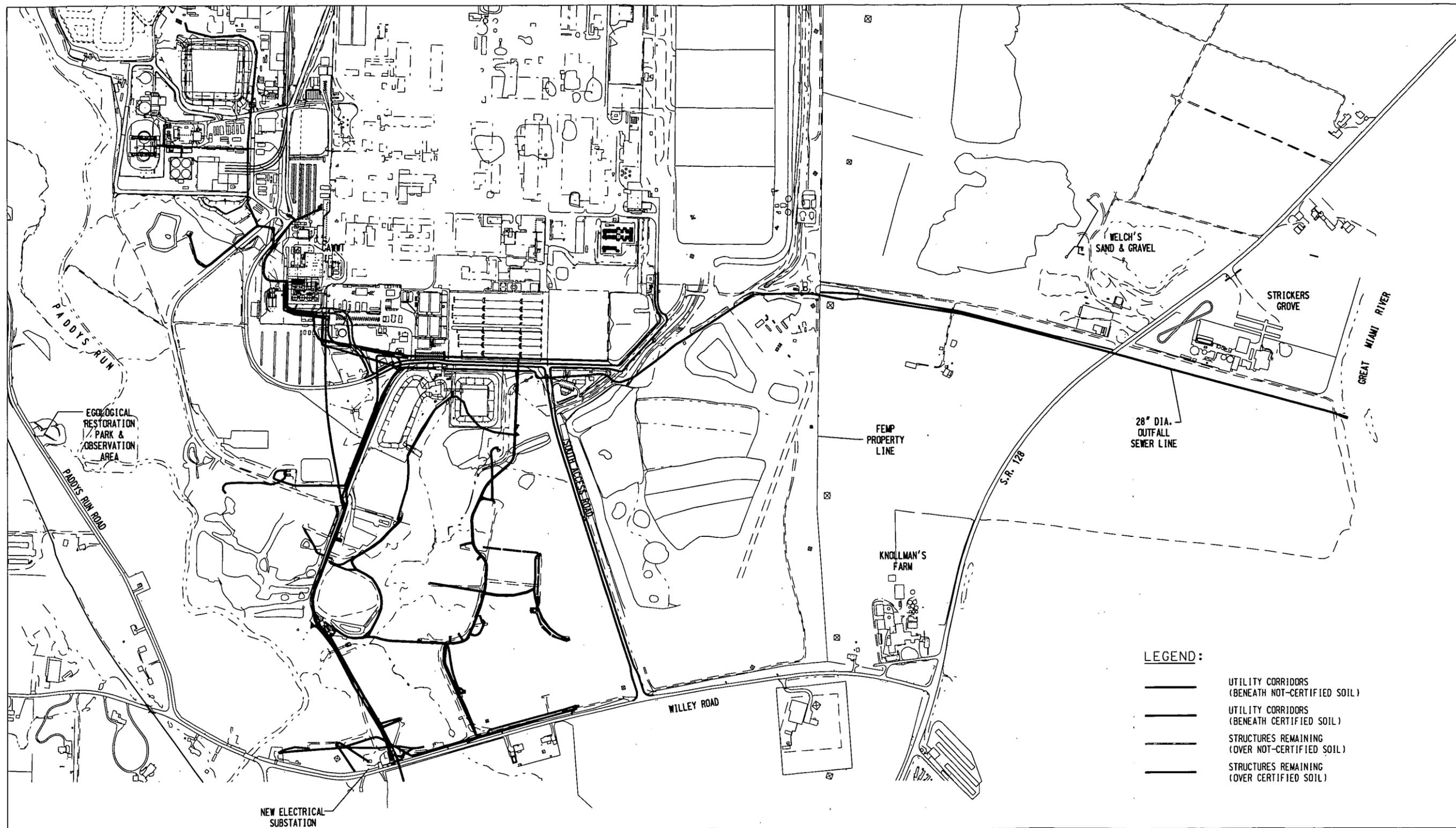
Operation of some portions of the groundwater extraction system will continue into legacy management. Groundwater remediation and monitoring will continue until the FRL of 30 ppb for uranium has been achieved. Groundwater monitoring will be required following completion of remediation to ensure continued protectiveness of the remedy and to support the CERCLA five-year reviews. The exact frequency and approach to monitoring to support the five-year reviews has not been specifically determined at this time. The OMMP (DOE 2004d) is included as Attachment A to the LMICP and describes the groundwater extraction system (well fields, treatment facility, etc.) used to complete the remedy. Additional information is included in Section 3.1.3 of the IC Plan. Long-term monitoring of groundwater will be required around the OSDF. The exact approach to groundwater monitoring will be further defined with input from the stakeholders and regulators prior to the implementation of legacy management.

2.4.4 Uncertified Areas

Various areas of the site will not be certified at closure. Figure 3 illustrates these areas. These areas include sub-grade utility corridors that exist below both certified and uncertified soil and structures situated on both certified (existing paved roads) and uncertified (CAWWT footprint) soil. Remediation and certification of these remaining areas will have to occur following removal of the CAWWT (after groundwater is certified clean) and following removal of any of the utilities, as they are no longer needed.

2.4.5 Existing Infrastructure and Facilities

A few facilities will remain on site following remediation. These include the CAWWT and supporting infrastructure, extraction wells and associated piping and utilities, the outfall line to the Great Miami River, and a few office trailers. The majority of the current advanced wastewater treatment



- LEGEND:**
- UTILITY CORRIDORS (BENEATH NOT-CERTIFIED SOIL)
 - UTILITY CORRIDORS (BENEATH CERTIFIED SOIL)
 - STRUCTURES REMAINING (OVER NOT-CERTIFIED SOIL)
 - STRUCTURES REMAINING (OVER CERTIFIED SOIL)



FIGURE 3. UNCERTIFIED AREAS

facility (AWWT) will undergo decontamination and demolition, and the remaining portion will be converted to a smaller wastewater treatment facility (the CAWWT) to support continued groundwater remediation at the Fernald site, following closure.

The desired vision for the Fernald site is the establishment of a multi-use educational facility (MUEF), on site, as part of the institutional controls. Existing on-site structures in the form of modular office buildings, the Silos Warehouse or a combination thereof, may be used as the MUEF. The MUEF would contain information on the remediation of the Fernald site, including information on site restrictions, ongoing maintenance and monitoring, and residual risk information. The MUEF would also provide a storage location for historical information and photographs, a meeting place and other educational information as appropriate. It is DOE's intention to have the facilities setup in the appropriate locations at the time of site closure. Remodeling work and installation of educational materials and information would occur after site closure in coordination with the Office of Legacy Management. It is envisioned that the MUEF would be maintained and operated under the direction of the Office of Legacy Management as long as there is active attendance.

Twenty-three acres of the DOE property were identified for potential community use, as described in the Environmental Assessment on Final Land Use (DOE 1998b). The area has been certified. No additional ecological restoration was planned for this area. However, since the environmental assessment was issued, there has been no interest or commitment from any entity outside of DOE for its development or use. In the National Environmental Protection Act (NEPA) Finding of No Significant Impact, issued in 1999, DOE deferred a decision on the 23 acres until 2004 because there was no further interest in use of the property. DOE is no longer considering any development of the 23 acres. The area will be included in the surveillance and maintenance of the site during legacy management.

3.0 SCOPE OF LEGACY MANAGEMENT AT THE FERNALD SITE

Post-closure requirements will include maintaining the remedies and ensuring the protectiveness of human health and the environment. Other post-closure activities will include monitoring and maintaining the Fernald site property, facilities, and structures that remain following completion of site remediation. Post-closure requirements at the Fernald site will be the responsibility of the Office of Legacy Management. Within the Office of Legacy Management, the Land and Site Management organization (LM-50) will be responsible for ongoing surveillance and maintenance at the Fernald site and the continuation of the groundwater remedy.

The commitments in the RODs relevant to legacy management include the following:

- DOE will achieve the FRLs for all contamination attributed to the Fernald site. Site-wide cleanup levels for soil are documented in the OU2 ROD, and in the OU5 ROD based on a recreational use and the undeveloped park (i.e., greenspace) scenario. Once achieved, the FRLs will not allow unrestricted use of the Fernald site and institutional controls will be required.
- Per the OU2 ROD, the Fernald site will remain under federal ownership. Therefore, any final land use alternative and legacy management planning has to include DOE's commitment to continued federal ownership.
- Commitments for other environmental monitoring will be carried out for as long as appropriate per the existing RODs.

Maintaining institutional controls at the Fernald site will be a fundamental component of legacy management and will include ensuring no residential or agricultural and only limited recreational uses occur on the property. Activities such as swimming, hunting, and camping will be prohibited. A decision on fishing will be made following an interim residual risk assessment that is planned following closure. The intent of this Legacy Management Plan is to provide an overview of institutional controls required for the Fernald site to support legacy management. The separate IC Plan is required for the Fernald site per the DOE's commitment to EPA in the OU 5 ROD. The IC Plan is included as Volume II of this LMICP. DOE and EPA guidance were used to identify planned institutional controls at the Fernald site. The IC Plan will continue to be updated as needed based on changing site conditions and input from stakeholders and regulators. Section 4.2 discusses the five-year review process and how it relates to legacy management, including institutional controls.

The scope of legacy management activities at the Fernald site fall into two categories: (1) operation and maintenance of the remedies, and (2) legacy management in restored areas. Legacy management activities related to the maintenance of the remedies will include monitoring and maintenance of the OSDF; the CAWWT and supporting infrastructure; the extraction wells and associated piping; and the active outfall line to the Great Miami River. The OMMP includes the details of the monitoring and maintenance of the CAWWT, groundwater restoration systems, and the active outfall line. Legacy management activities also include ensuring that remedy-driven restrictions on access and use of the Fernald site are enforced, continuation of aquifer remediation, and information management. Following site physical completion, monitoring becomes a legacy management responsibility.

Legacy management in restored areas will include ensuring that natural and cultural resources will be protected in accordance with applicable laws and regulations. Construction of any public use amenities, such as trails, overlooks, etc., has not yet been decided. The decision regarding the amenities is premature until settlement of the Natural Resource claim that is currently being negotiated. Any amenities supporting access and use of the Fernald site will be kept in a safe configuration. The cleanup levels established for the Fernald site will ensure the site is remediated to a level consistent with recreational use.

The potential reburial of Native American remains is another initiative that has been considered at the Fernald site since 1999. DOE agreed to make land available for the re-interment of Native American remains with the following understandings:

1. The land remains under federal ownership.
2. DOE will not take responsibility for, or manage, the re-interment process. Maintenance and monitoring will not be funded or implemented by DOE.
3. The remains must be culturally affiliated with a modern day tribe. The National Park Service had no objections to the re-interment process as long as the "repatriations associated with the reburials comply with the Native American Graves Protection and Repatriation Act as applicable."
4. Records must be maintained for all repatriated items re-interred under this process. DOE is not responsible for these records.

Thus far, several federally recognized tribes have been contacted regarding this offer of land for re-interment purposes. To date, only one response has been received from a modern day tribe with repatriated remains under the Native American Graves Protection and Repatriation Act. The Miami Tribe of Oklahoma has informed DOE that they are not interested in use of the site. No other responses from modern day tribes have been received and DOE is no longer pursuing the effort. The proposal may be reconsidered in the future if other modern day tribes with repatriated remains come forward.

3.1 LEGACY MANAGEMENT OF THE OSDF

The OU 2 ROD states that the Fernald site will remain under federal ownership. DOE has committed to the goal of ensuring legacy management activities of the OSDF in perpetuity. The PCCIP (Attachment B) for the OSDF outlines the routine legacy management activities for the initial 30 years. The activities include routine inspections and ongoing monitoring of the (LCS), the (LDS), and groundwater in the vicinity of the OSDF. DOE will conduct CERCLA reviews every five years and will issue a report summarizing the results of the review to the appropriate regulatory agencies. Periodic monitoring and maintenance of the LCS and vegetative cap of the OSDF will be necessary, as well as occasional maintenance of signs, fencing, and the buffer zone around the OSDF. Further detail regarding the inspections and monitoring are included in the IC Plan.

Remote monitoring of the OSDF was initiated on Cell 1 of the OSDF. The remote systems installed on Cell 1 include sensor technology to monitor groundwater and rainwater intrusion, subsidence, integrity of the LCS and the cap, and real-time characterization and tracking of leachate and groundwater flow. It ha

been determined from Cell 1 that there is no added beneficial use of the automated monitors; therefore, no such monitors will be installed on any of the other cells. Appropriate monitoring and maintenance of the OSDF will be carried out without the automated monitors. An appropriate method will be determined for abandoning the monitors in place. Every effort will be made to find an appropriate re-use of the monitoring equipment. Information previously collected from the sensors on Cell 1 will be managed with other data required for legacy management. Background information regarding the OSDF design, will be available online.

The extent of legacy management activities will be defined based on regulatory requirements, stakeholder and regulatory input, and agreements between DOE and the EPA and OEPA. Details of the maintenance and monitoring requirements for the LCS, the capping/cover system and the support systems for the OSDF are included in the IC Plan and supporting documents.

3.2 Surveillance and Maintenance of Restored Areas

Per the OU5 ROD, DOE will protect the existing natural resources at the Fernald site. Monitoring and maintenance of restored areas will focus on ensuring the natural resources are protected in accordance with appropriate laws and regulations, such as the Clean Water Act and the Endangered Species Act. Wetlands and threatened and endangered species are examples of natural resources that will be monitored. Existing cultural resource areas will also have to be monitored to ensure the integrity of these areas is not threatened.

Restored areas will be inspected to ensure that protected natural resources (e.g., wetlands, threatened and endangered species) are maintained in accordance with applicable laws and regulations. Physical disturbance of restored areas will not be permitted unless authorized by the Office of Legacy Management (if necessary, in consultation with EPA). Soil and vegetation will not be removed from the Fernald site unless authorized by the Office of Legacy Management.

Existing cultural resource areas, including the re-interment area that resulted from the public water supply project, will be a part of the undeveloped park and will require inspections to ensure their preservation, and to determine if there are any impacts to the resources caused by natural forces, vandalism, or looting. Actions will be implemented if there is evidence that the integrity of a site is threatened due to natural or human forces.

4.0 OVERSIGHT OF LEGACY MANAGEMENT AT FERNALD

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4.1 OFFICE OF LEGACY MANAGEMENT RESPONSIBILITIES

The Office of Legacy Management is responsible for oversight of the Fernald site during legacy management. They will ensure that all legacy management activities are conducted as required. They will be the decision making body regarding changes in surveillance and maintenance, any engineering changes required, any changes in access or public use, etc. The Office of Legacy Management will also manage any contractors hired to perform work required for legacy management purposes and will ensure that the contractors have the skills necessary to perform the work.

4.2 ROLE OF SITE CONTRACTOR

A site contractor, or contractors, will support the Office of Legacy Management, will work closely with and communicate regularly with the Office of Legacy Management, and will be the physical presence at the site. Contractor personnel will be responsible for operating the groundwater remediation systems, conducting inspections, monitoring, and sampling. They will collect all data, develop the reports, and make those reports available to stakeholders and the public. Maintenance activities for the OSDF will be their responsibility as well. The contractors will notify the Office of Legacy Management in the event of an emergency and will take action to prevent damage to the site.

4.3 ROLE OF REGULATORS

The requirements outlined in the IC Plan will be enforced by the EPA in consultation with OEPA. Both EPA and OEPA will be provided with all reporting on the legacy management activities at the Fernald site. Both EPA and OEPA will also be notified of any institutional control breaches as outlined in Section 4.0 of the IC Plan. Both agencies will be involved in oversight of legacy management activities at the Fernald site.

4.4 CERCLA FIVE-YEAR REVIEWS

Under CERCLA, a review of the remedy at sites where some level of contaminants is left such that use of the site is limited is required every five years. The CERCLA five-year reviews at the Fernald site will focus on the protectiveness of the remedies associated with each of the five OUs. Also included will be summaries of the inspections conducted for the OSDF, the CAWWT facility, the groundwater restoration system, and the active outfall line to the Great Miami River. To facilitate the review, a report addressing the ongoing protectiveness of the remedies will be prepared and will be submitted to the EPA and OEPA. The institutional controls portion of the report will include the data collected from monitoring and sampling; summaries of the inspections conducted of the Fernald site and OSDF site and cap during the five-year period; and a discussion on the effectiveness of the institutional controls. If it is determined that a particular control is not meeting its objectives then required corrective actions will be included. The review may lead to revisions to the monitoring and reporting protocols.

4.5 REPORTING REQUIREMENTS

Specific requirements for reporting, other than the CERCLA five-year reviews, have not yet been established. However, some type of reporting to stakeholders, regulators, and the public will be

507 conducted at a minimum on an annual basis. This section will be updated in the January 2006 revision to this LMICP to reflect additional reporting requirements, other than the CERCLA five-year review, that may be agreed upon.

Reports will be generated for various reasons. Monitoring, inspections, and sampling will be conducted on a regular basis on the OSDF, the restored areas of the site, and the groundwater remediation process. Required inspections are listed and defined in the IC Plan (Volume II). The data gathered will be put into a report to stakeholders, regulators, and the public. Additional reporting information is included in Section 5.3 of the IC Plan.

In the event of an emergency that would pose a threat to the community's health and safety, immediate notifications and reporting will occur. Information will be placed at the site's records location that is accessible to the public. Notifications may also be made to local community group leads. Additional information on notification of the public is included in the CIP (Attachment A).

5.0 PUBLIC PARTICIPATION

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The public has played a very important role in the remediation process at the Fernald site and stakeholders remain very involved in the remediation and planning for legacy management. Various stakeholder groups meet on a regular basis with Fernald site employees to be updated on the latest activities at the site. DOE also holds regularly scheduled meetings with these groups and the public to share current site information (progress updates). The stakeholders and the public will remain involved in legacy management planning activities, in the form of a Local Stakeholder Organization (LSO), and will continue to play an active role in helping DOE make critical legacy management decisions. DOE has written the CIP (Attachment A) that discusses how the LSO will be involved in legacy management at the Fernald site.

5.1 PUBLIC INVOLVEMENT VIA GROUPS AND ORGANIZATIONS

Several groups follow the remediation and cleanup process at the Fernald site, including the Fernald Citizens Advisory Board (FCAB), Fernald Residents for Environmental Safety and Health (FRESH), and the Fernald Living History Project. The FCAB was formed to formulate cleanup policy and to help guide the cleanup activities at the site. Representatives, including local residents, governments, businesses, universities, and labor organizations, comprise the advisory board membership. In 1995, the FCAB issued recommendations to DOE on remedial action priorities, cleanup levels, waste disposition alternatives, and future uses for the Fernald site property. The FCAB continues to be actively involved in the remediation and restoration activities for the Fernald site with monthly full board meetings and meetings of the FCAB Stewardship Committee.

To date, the FCAB has co-sponsored (with FRESH, the Community Re-use Organization, and the Fernald Living History Project) four "Future of Fernald" workshops. The workshops were open to the public and gave stakeholders the opportunity to provide input on the final public-use decisions as described in the Master Plan for Public Use of the FEMP (DOE 2002b). The later workshops led to the recommendation for a Multi-use Education Facility at the site.

The FCAB has also worked with the Natural Resource Trustees and DOE to assist in the development of the legacy management Plan. As mentioned in previous sections, the future use and amenities at the site are directly tied to the degree of legacy management that will be necessary. DOE will continue to work closely with the FCAB and continue discussions with the general public regarding future use and legacy management of the Fernald site.

FRESH was formed by local residents in 1984 and has played an important role in providing community input on the characterization and remediation of the Fernald site.

A list of other stakeholders considered to be critical for legacy management planning at the Fernald site is given below. Additional stakeholders may be identified in the future.

- Local government and enforcement agencies
- Local volunteer organizations
- Local residents

- Universities
- Local school groups
- Environmental organizations
- Native American Tribes
- Native American organizations
- NRTs – Natural Resource Trustees
- Regulatory Agencies
- Fernald Living History, Inc.
- Crosby Township Historical Society
- Local businesses.

5.2 LEGACY MANAGEMENT PLANNING DECISIONS AND PUBLIC REVIEWS

Several decisions have been and will be required by DOE to facilitate successful legacy management planning at the Fernald site. A summary of those decisions and anticipated timing of public input are:

- The Legacy Management Plan to provide a framework for stewardship planning at the Fernald site. The plan was made available for stakeholder review in December of 2002 and formally submitted to DOE Headquarters, EPA, and OEPA in January 2003. Revision B of the Legacy Management Plan was re-submitted to EPA and OEPA in July 2004 as part of the LMICP. The draft final LMICP is being submitted in April 2005 and the final LMICP will be submitted in January 2006.

The following decisions will receive ongoing consideration during the legacy management planning process as appropriate.

- Decisions on future contractors and property managers, as appropriate, to work with the Office of Legacy Management for the restored/public-use portions of the Fernald site. (A team approach to legacy management of restored areas may be appropriate, involving DOE-LM and subcontractors. Discussions regarding the contractors and property managers will be held with interested stakeholders before final decisions are made.)
- Records and associated electronic data determined critical for legacy management to support post-closure maintenance purposes will be transferred to the Office of Legacy Management. The public will continue to have input regarding records and data that pertain to legacy management. Documents supporting legacy management, when finalized, will be available to the public.
- The transfer of electronic records as well as the integration with any planned or proposed centralized electronic data and/or records repositories will continue throughout transition.
- Continued evaluation of the regulatory requirements that will drive legacy management activities at the Fernald site. The database developed by Florida International University (FIU 2002) is a starting point in the identification of applicable requirements, but additional review and decision-making is still required.
- A decision on the extent of, if any, public-use amenities to be constructed on site. This decision depends on the results of the negotiation regarding Ohio's natural resources damages claim.
- The establishment of an MUEF to support institutional controls at the site and provide site information to the public.

April 2005

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Input on future legacy management planning decisions will occur through formal document reviews, community meetings, roundtables, workshops, and other forums. Currently, DOE holds quarterly cleanup progress briefings for interested stakeholders. DOE anticipates continuing these updates using a similar forum/format throughout the remaining remediation and legacy management planning. The CIP (Attachment A) also discusses methods of reporting to the public.

- Another process involving the public is the CERCLA five-year review. The five-year reviews are performed pursuant to CERCLA §121, The National Contingency Plan (40 CFR Part 300) and the Comprehensive Five-Year Review Guidance, June 2001. These regulations state that a public comment and review period will be provided so that interested persons may submit comments. Input from the public regarding legacy management of the site and the ongoing groundwater remediation will always be considered, just as it has during the remediation of the site.

identified by the Office of Legacy Management. It is anticipated that the system to support legacy management will address the following:

- On-site data transmission, telecommunications, and computing resources requirements
- Data acquisition standards and protocols for newly collected data, and for historical data and images to be transferred to the repository
- Analysis tools, integration with other data sources, and notification services to assist remotely located users
- Electronic data storage requirements
- Data management and validation practices sufficient to ensure defensible information
- Plans for periodic storage infrastructure reviews and upgrades to ensure electronic information is continually available as technology advances
- Integration with any DOE or federally mandated central repository for electronic records or data, as appropriate
- Web based retrieval, search, and reporting capabilities.

Examples of electronic data include environmental sampling and monitoring data, OSDF monitoring data, and soil certification data as well as electronic images, design drawings, and electronic records. This information is required for the purposes of generating required reports, including the CERCLA five-year review, for efficient management of the data collection process, and for public use.

It is envisioned that the data repository and associated support personnel could be located off site, at a DOE (or contractor) location. It is anticipated that an on-site location could house computing facilities for acquisition and access. Final decisions regarding the structure and content of the data repository will be made by DOE with input from the stakeholders. The Office of Legacy Management has agreed to make available a warehouse and up to three office trailers for legacy management staff and public use. Part of these facilities may be used as a data repository and records storage location.

6.1 TYPES OF DATA REQUIRED FOR LEGACY MANAGEMENT

Data determined critical for legacy management purposes have been divided into four categories: historical data, RI/FS process and results, remediation data, and post-site closure data. Table 6-1 presents the types of information that fall into each category.

Based on the four categories, DOE personnel at the Fernald Site and Fluor Fernald, Inc. personnel have initiated the process of working with stakeholders to identify any records considered critical for legacy management. Interface with stakeholder groups was initiated in the fall of 2002 to ensure that the appropriate types of information and records are being retained to support legacy management. Formal recommendations from the FCAB (FCAB 2002) and ongoing interface with stakeholders will allow DOE to retain the appropriate information to support future legacy management needs.

TABLE 6-1
TYPES OF DATA NEEDED TO SUPPORT LEGACY MANAGEMENT ACTIVITIES

DATA CATEGORY	SUMMARY OF INFORMATION REQUIRED
Historical Data	<ul style="list-style-type: none"> • Real estate records • Information pertaining to acquisition of property • Process documents/reports (summary level) • Cultural Resource records • Photographs (significant for legacy management purposes)
RI/FS Process and Results	<ul style="list-style-type: none"> • Risk assessments • Public comments • RI/FS reports for each OU • RODs for each OU • ROD amendment documents
Remediation Data	<p>For soil:</p> <ul style="list-style-type: none"> • Design and excavation plans • Documentation of certification process for each area/phase • Certification reports* <p>For groundwater:</p> <ul style="list-style-type: none"> • Pump and treat system design documents • Groundwater monitoring data • Groundwater extraction data • Design and monitoring data for the CAWWT <p>For Environmental Monitoring:</p> <ul style="list-style-type: none"> • IEMP reports* • Regular updates* <p>For buildings and structures:</p> <ul style="list-style-type: none"> • Plans for decommissioning and dismantling buildings and structures <p>For OSDF:</p> <ul style="list-style-type: none"> • Design, construction, material placement and closure documentation • Leak detection/leachate monitoring data • Cover/cap monitoring data <p>For Restoration:</p> <ul style="list-style-type: none"> • Design plans • Implementation documentation • Monitoring data* <p>General:</p> <ul style="list-style-type: none"> • Aerial photographs taken during remediation processes
Post-Closure Data	<ul style="list-style-type: none"> • Decision documents on land use • Documents on public-use decision • All monitoring and maintenance data for the OSDF • All monitoring and maintenance data for the restored areas* • All institutional control data • As-built drawings for remaining facilities

*Will require retention of electronic data

6.2 LEGACY MANAGEMENT RECORDS CUSTODIAN

Site records that fall under the DOE retention schedule will remain in the custody of the DOE for the required, pre-established retention period. The Office of Legacy Management is the lead and may be the records custodian responsible for records management at closed sites, including Fernald (DOE 2002a). Once the retention period for a document has expired, that document is to be destroyed. However, under 36 CFR Part 1228 Subpart D, Temporary Extension of Retention Periods, a request may be submitted by DOE to delay the destruction of a document that has reached the end of its retention period. This request will be submitted for a document only if it is determined that the original document is critical for legacy management purposes and must be retained. Custody of the records inventory will also become the responsibility of the Office of Legacy Management. A copy of legacy management records will be located on or near the site (refer to Table 6-1).

6.3 RECORDS STORAGE LOCATION

DOE will maintain necessary historic and remediation records. As stated above, copies of these records will be housed on or near the site. The stakeholders strongly recommend that records be maintained on site and have suggested that a facility for groundwater and environmental education purposes be constructed on site as part of a settlement with the State of Ohio; however, other options will be considered. A utilitarian type structure could be located on the Fernald site to house records needed during legacy management. The records summary narrative will also be housed with the copies of these historic records.

From the comprehensive list of records determined critical for legacy management, a second list of records will be developed. The records in this second list will be copies of records, which will be stored on or near the site under the responsibility of the site steward. While the electronic data repository will be physically located in a remote computing location, local access to the data via a proposed web page is being considered.

The Office of Legacy Management will also manage copies of records that are necessary to perform environmental legacy management activities and functions. Federal Records Centers will be used for the storage of records that must be maintained post-closure due to record retention schedules. Fernald records may be housed at the Federal Records Center in Dayton, Ohio where some Fernald site records are currently housed.

6.4 PUBLIC ACCESS REQUIREMENTS

Documents will be made available to the public. Copies of some documents, especially those generated after site completion (e.g., monitoring and maintenance records) will be easily accessible as a result of their proximity on or near the site. For other documents, a formal request process used according to the Freedom of Information Act will be required to obtain a copy. Some of the more frequently requested documents, or those that pertain to legacy management of the site, are and will be available online. The Office of Legacy Management at Grand Junction currently hosts reports and documents on their website for the various sites that are already in Long-Term Surveillance and Maintenance. The documents usually include PDF files of primary CERCLA documents, the annual Site Environmental Report, etc.

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7.0 FUNDING

A preliminary estimate of legacy management costs has been developed and is provided in Appendix A. The estimate assumes the Office of Legacy Management will contract and oversee the maintenance and monitoring work that is required at the Fernald site. These cost estimates will continue to be refined as legacy management plans are finalized. The attached cost estimate provides total legacy management costs over a seven-year period and will be used as the basis for future budget planning for legacy management at the Fernald site.

In general, the current cost estimate for legacy management activities covers the technical support, monitoring, and maintenance of the Fernald site to ensure compliance with all applicable federal and state requirements for the next seven years. It includes the following:

- Surveillance and maintenance costs, including institutional controls surveillance and maintenance, OSDF cap inspection and maintenance, and ecological monitoring and management;
- Costs for the continuing aquifer restoration management and operation, environmental monitoring, environmental compliance, and reporting, including groundwater remedy and OSDF leak detection program management, environmental sampling, laboratory analysis, data management and analysis, and environmental monitoring and compliance reporting;
- CAWWT well field and leachate transmission system operations; and
- Costs for overhead and project support, including overall project management, health and safety, records management, legal support, information management, finance and accounting, contracts and acquisitions, human resources and industrial relations, and general grounds and maintenance activities.
- The current cost estimate does not include the cost of Federal employees at the Office of Legacy Management or other government offices required for managing legacy management of the Fernald site. It does not include pensions and benefits for employees.

Funding for legacy management will need to be secured by DOE in future budget requests for the years after site closure. Currently, it is anticipated that Office of Legacy Management funds will be available for OSDF monitoring, maintenance and leachate management post-site remediation, aquifer remediation, and for ensuring that applicable laws and regulations are adhered to in restored areas post-site remediation. The final version of this LMICP will include an updated estimate. DOE will keep the public informed of its plans to fund legacy management activities as new information becomes available.

Currently, legacy management activities at the various DOE facilities are funded through the annual appropriations process. Funding for sites in the long-term surveillance and maintenance program is maintained in a separate line item in the Office of Legacy Management budget. For the time being, this process for funding legacy management will continue; however the DOE will continue to investigate other funding and management options.

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Federal Facility Compliance Agreement	1986
Work Plan (identifies specific units of the site for RI/FS)	1988
Consent Agreement	1990
Amended Consent Agreement	1991
Record of Decision for Operable Unit 4	1994
Interim Record of Decision for Operable Unit 3	1994
Record of Decision for Operable Unit 1	1995
Record of Decision for Operable Unit 2	1995
Final Record of Decision for Operable Unit 3	1996
Record of Decision for Operable Unit 5	1996
Explanation of Significant Differences for Operable Unit 4 Silo 3	1998
Final Record of Decision Amendment for Operable Unit 4 Silos 1 and 2	2000
Explanation of Significant Differences for Operable Unit 5	2001
Explanation of Significant Differences for Operable Unit 1	2002
Final Record of Decision Amendment for Operable Unit 1	2003
Final Record of Decision Amendment for Operable Unit 4 Silo 3	2003
Final Explanation of Significant Differences for Operable Unit 4 Silos 1 and 2	2003
Draft Final Explanation of Significant Differences for Operable Unit 4	2004

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APPENDIX A

SUMMARY LEGACY MANAGEMENT BUDGET ESTIMATE

SUMMARY LEGACY MANAGEMENT BUDGET ESTIMATE

	Apr 06- Sep 06	Oct 06- Sep 07	Oct 07- Sep 08	Oct 08- Sep 09	Oct 09- Sep 10	Oct 10- Sep 11	Oct 11- Sep 12	TOTAL
SURVEILLANCE AND MAINTENANCE								
INSTITUTIONAL CONTROLS SURV. AND MGT.	122,473	260,045	276,041	293,039	311,109	330,251	350,606	1,943,564
OSDF CAP INSPECTION AND MAINTENANCE	95,000	195,700	201,571	207,618	213,847	220,262	226,870	1,360,868
ECOLOGICAL MONITORING AND MANAGEMENT	506,763	318,520	331,463	345,016	359,205	374,035	389,582	2,624,583
TOTAL	724,236	774,266	809,075	845,673	884,160	924,548	967,058	5,929,015

**AQUIFER RESTORATION MGT, ENVIRO. MONITORING,
ENVIRO. COMPLIANCE, AND REPORTING**

GW REMEDY/OSDF LEAK DETECTION PROGRAM MGT.	245,011	521,970	439,778	466,853	495,639	526,138	558,561	3,253,950
ENVIRONMENTAL SAMPLING	489,665	637,369	651,066	691,159	733,782	805,298	826,364	4,834,703
LABORATORY ANALYSIS	904,149	914,097	936,670	1,019,195	1,020,526	1,772,797	1,142,798	7,710,231
DATA MANAGEMENT AND EVALUATION	515,334	715,447	642,090	681,622	659,480	700,086	743,217	4,657,275
ENVIRO. MONITORING/COMPLIANCE, REPORTING, AND PROGRAM MANAGEMENT	507,492	1,019,826	921,359	857,719	911,107	967,195	1,026,796	6,211,495
TOTAL	2,661,650	3,808,710	3,590,964	3,716,548	3,820,533	4,771,514	4,297,735	26,667,654

**CAWWT, GROUNDWATER EXTRACTION WELL FIELD
OPERATIONS AND THE OSDF LEACHATE TRANSMISSION SYSTEM**

TOTAL	1,834,603	3,895,180	4,134,988	4,489,758	4,659,970	4,946,896	8,162,503	32,123,896
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OVERHEAD AND PROJECT SUPPORT

PROJECT MANAGEMENT	196,071	381,798	418,104	440,675	459,602	474,957	496,844	2,868,053
HEALTH AND SAFETY	196,581	284,682	302,203	320,808	340,579	361,551	383,810	2,190,212
RECORDS MANAGEMENT	74,509	155,828	162,987	170,495	178,411	186,735	195,486	1,124,451
LEGAL SUPPORT	143,429	298,207	310,070	322,469	335,420	348,971	363,138	2,121,705
INFORMATION MANAGEMENT	226,532	217,998	231,310	265,024	260,330	276,136	315,268	1,792,599
FINANCE AND ACCOUNTING	109,134	231,701	245,978	261,116	277,204	294,294	312,404	1,731,830
CONTRACTS AND ACQUISITIONS	102,684	213,167	221,379	230,059	239,223	248,889	259,110	1,514,510
HUMAN RESOURCES AND INDUSTRIAL RELATIONS	50,428	107,063	113,658	120,674	128,096	135,992	144,362	800,272
GENERAL GROUNDS AND MAINTENANCE	328,516	686,055	724,515	765,315	808,622	854,592	903,387	5,071,002
TOTAL	1,427,884	2,576,498	2,730,203	2,896,637	3,027,487	3,182,116	3,373,810	19,214,634

GRAND TOTAL LEGACY MANAGEMENT	6,648,372	11,054,653	11,265,230	11,948,616	12,392,150	13,825,074	16,801,105	83,935,199
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*Grand total does not include person and benefits.

REVISION TOTAL RESOURCE CONSTRUCTION LEGACY MANAGEMENT - ORIGINAL 11:49:47 PM APRIL 6, 2005 11:58 AM

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Comprehensive Legacy Mgmt. and Institutional Controls Plan

Volume I, 20013-PL-0001, Appendix A, Draft Final, Rev. C

April 2005

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ATTACHMENT A
FERNALD SITE COMMUNITY INVOLVEMENT PLAN

59.02

**Fernald Site
Community Involvement Plan**

Draft

April 2005

Prepared for
U.S. Department of Energy

Work Performed Under
DOE Contract Number DE-AC01-02GJ79491

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LIST OF ACRONYMS

CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CIP	Community Involvement Plan
DOE	U.S. Department of Energy
EM	Office of Environmental Management
EPA	U.S. Environmental Protection Agency
FCAB	Fernald Citizens Advisory Board
FCHEC	Fernald Community Health Effects Committee
FCP	Fernald Closure Project
FFCA	Federal Facilities Compliance Agreement
FLH	Fernald Living History, Inc.
FRESH	Fernald Residents for Environmental Safety and Health
LM	Office of Legacy Management
LMICP	Comprehensive Legacy Management and Institutional Controls Plan
LSO	Local Stakeholder Organization
LTS&M	long-term surveillance and maintenance
NPL	National Priorities List
OEPA	Ohio Environmental Protection Agency
PEIC	Public Environmental Information Center
RI/FS	Remedial Investigation/Feasibility Study
ROD	record of decision
SARA	Superfund Amendments and Reauthorization Act of 1986

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1.0 INTRODUCTION

The Fernald site is currently managed under the U.S. Department of Energy (DOE) Office of Environmental Management. DOE established the Office of Legacy Management effective December 2003 to allow optimum management of DOE's legacy responsibilities. The mission of the Office of Legacy Management is to effectively and efficiently manage the environmental and human legacy issues related to the U.S. Government's Cold War nuclear weapons program for current and future generations.

The Office of Environmental Management and the Office of Legacy Management have initiated the transition of the Fernald Closure Project (FCP) to the Office of Legacy Management's responsibility for legacy management and for certain legacy worker and contract liabilities. The site is on an accelerated cleanup schedule with an anticipated completion in fiscal year 2006. The transition will occur through three specific periods: physical completion, regulatory completion, and contract/financial completion. Physical completion will occur first with the completion of remedial action activities under the Office of Environmental Management. The Office of Legacy Management will take over responsibility for long-term surveillance and maintenance activities to maintain the site following the physical completion date. Regulatory completion will occur at a later date following physical completion and approval of regulatory documentation. Contract/financial completion involves closeout of remaining administrative matters. Transition of the site will be final after all physical completion activities are completed and regulatory completion is achieved. For planning purposes, the Office of Legacy Management will take over responsibility for legacy management activities to maintain the site after completion of remedial action (at physical completion), but the Office of Environmental Management will remain financially responsible for the site from physical completion until the end of fiscal year 2007. A team of DOE and contractor employees from each office is working together on activities necessary to transfer responsibilities for long-term care of the site from the Office of Environmental Management to the Office of Legacy Management.

Throughout the course of cleanup of Fernald, DOE has made it a priority to gather community opinion as part of its decision-making process. Involvement by stakeholders who possess local knowledge and diverse areas of expertise has been instrumental to the success of the cleanup project. Stakeholders have been involved in site cleanup activities, assisted in addressing technical and management challenges, and guided the decision-making process. As the focus of the Fernald mission now turns to closure of the site and transfer of stewardship responsibilities, DOE continues its public involvement efforts. The cleanup at Fernald, including the emerging plans for long-term management of the site following closure, has benefited and expects to continue to benefit from early public involvement dialogue among state and federal regulators, stakeholder organizations, elected officials, and members of the general public. Goals of the long-term site management include informing future generations and new residents to the area about the site, ensuring the effectiveness of institutional controls, and maintaining community support for the site remedy. DOE anticipates that an on-site education facility will be available after site closure and will cooperate to the extent possible in helping the community make this a viable entity.

This Community Involvement Plan (CIP) is a follow-on document to existing public affairs plans for the site and public involvement efforts described in the Federal Facilities Compliance Agreement (FFCA). All community relations activities, including this plan, continue to follow U.S. Environmental Protection Agency (EPA) and DOE guidance on public participation and comply with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) public participation requirements, as amended by the Superfund Amendments and Reauthorization Act (SARA) of 1986. This plan documents how DOE will ensure the public appropriate opportunities for involvement in a wide variety of site-related decisions, including site analysis and characterization, alternatives analysis, selection of remedy, and post-closure monitoring.

This CIP is a transitional document that outlines the methods of communication that are currently being used to inform the public of site activities, and addresses plans for public involvement throughout the site transition process and after site closure. During the transition phase, the Office of Legacy Management is taking an active role in ongoing community involvement and will have a proactive role in all areas of interest to post-closure public involvement. As site closure approaches, this plan will be updated as appropriate to address post-closure public involvement activities. Future updates will be made as needed, but no more frequent than annual. Significant changes in public participation activities, changes in land reuse plans, and remedy failures are examples of scenarios under which updates would be considered. DOE will collaborate with stakeholder organizations in effect at that time to update the plan.

2.0 SITE DESCRIPTION AND BACKGROUND

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In 1951, construction of the uranium processing plant began on a 1,050-acre parcel of land near Cincinnati, Ohio. During the Cold War, the Fernald plant, originally named the Feed Materials Production Center, produced high-purity uranium metal products for the nation's weapons production program. The products were shipped to other sites within the nuclear weapons complex. Some sites used the products as fuel for nuclear reactors to produce plutonium.

In the late 1980s, Fernald shut down uranium metal production to focus on environmental restoration and waste management issues. The public became more aware of the scope of the site's contamination and demanded a voice in cleanup decisions. Residents living near the site formed a citizens' interest group, the Fernald Residents for Environmental Safety and Health (FRESH), to closely monitor Fernald's activities. In 1993, the Fernald Citizens Task Force, now known as the Fernald Citizens Advisory Board (FCAB), was formed to consider problems threatening cleanup progress. Fernald Living History, Inc., was formed by retired workers and community members in the Fernald area to record and preserve various perspectives as part of the community's environmental history. Stakeholders have been instrumental to the cleanup progress at Fernald.

The final mission of the FCP is to clean up the site in compliance with Fernald's approved records of decision (RODs). DOE developed the Fernald Natural Resource Restoration Plan, which outlines DOE's final land use strategy for the 1,050-acre Fernald site after cleanup and site closure actions are complete. The plan also identifies institutional controls needed to restore and commit portions of the site to an undeveloped park, with an emphasis on wildlife habitat. In 1999, DOE issued the Final Land Use Environmental Assessment that addressed recommendations and feedback received from the public. To ensure appropriate future use, the site will remain under federal ownership in perpetuity. In support of public use of the site, DOE plans to restore natural resources on approximately 900 acres to compensate for natural resources that were destroyed or damaged by site operations and cleanup.

3.0 REGULATORY FRAMEWORK

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In response to growing concern about health and environmental risks posed by hazardous waste sites, Congress established the Superfund program in 1980, which was amended with SARA in 1986. EPA administers the Superfund program in cooperation with individual states and tribal governments. The National Priorities List (NPL) is a list of top priority hazardous waste sites that are eligible for extensive, long-term cleanup under the Federal Superfund Program. EPA placed Fernald on the NPL in November 1989 as the Feed Materials Production Center. All sites under the Superfund program are regulated by CERCLA, as amended by SARA, and Subpart E of the National Oil and Hazardous Substances Pollution Contingency Plan, found in 40 U.S. Code of Federal Regulations Part 300.400. All cleanup activities must satisfy the requirements of CERCLA.

In July 1986, DOE and EPA signed an FFCA that established a procedural framework and schedule for developing appropriate response actions and facilitates cooperation and exchange of information. The FFCA initiated the Remedial Investigation/Feasibility Study (RI/FS), a comprehensive environmental investigation conducted in and around Fernald to identify the nature and extent of contamination and to determine the best cleanup solutions. The FFCA is currently being evaluated to determine if a modification is required to support legacy management activities after site closure.

4.0 COMMUNITY PROFILE

Fernald is located in southwest Ohio, approximately 18 miles northwest of Cincinnati and straddles the boundary between Butler and Hamilton Counties (refer to Figure 1). The site is located near the unincorporated communities of Ross (northeast), Shandon (northwest), Fernald (south), New Baltimore (southeast), and New Haven (southwest). The site encompasses portions of Crosby, Ross, and Morgan Townships. The Great Miami River is located to the east. Land use in the area consists primarily of residential, agricultural, and gravel excavation operations. Some land in the vicinity of Fernald is dedicated to housing developments, light industry, and parks. Local history also includes settlement of the area and its use by Native Americans. DOE has agreed to provide a site for the re-interment of Native American remains on the Fernald property. Representatives from Fernald are currently working with federally recognized tribes to assess the tribes' interest in using a portion of the Fernald site for re-interments.

DOE consulted with appropriate stakeholders including site labor unions, retirees, and other former employees to create a Cold War Memorial located on the Fernald property. To facilitate cleanup activities, this memorial was dismantled and placed in storage. The final design and location for the memorial will be determined prior to site closure.

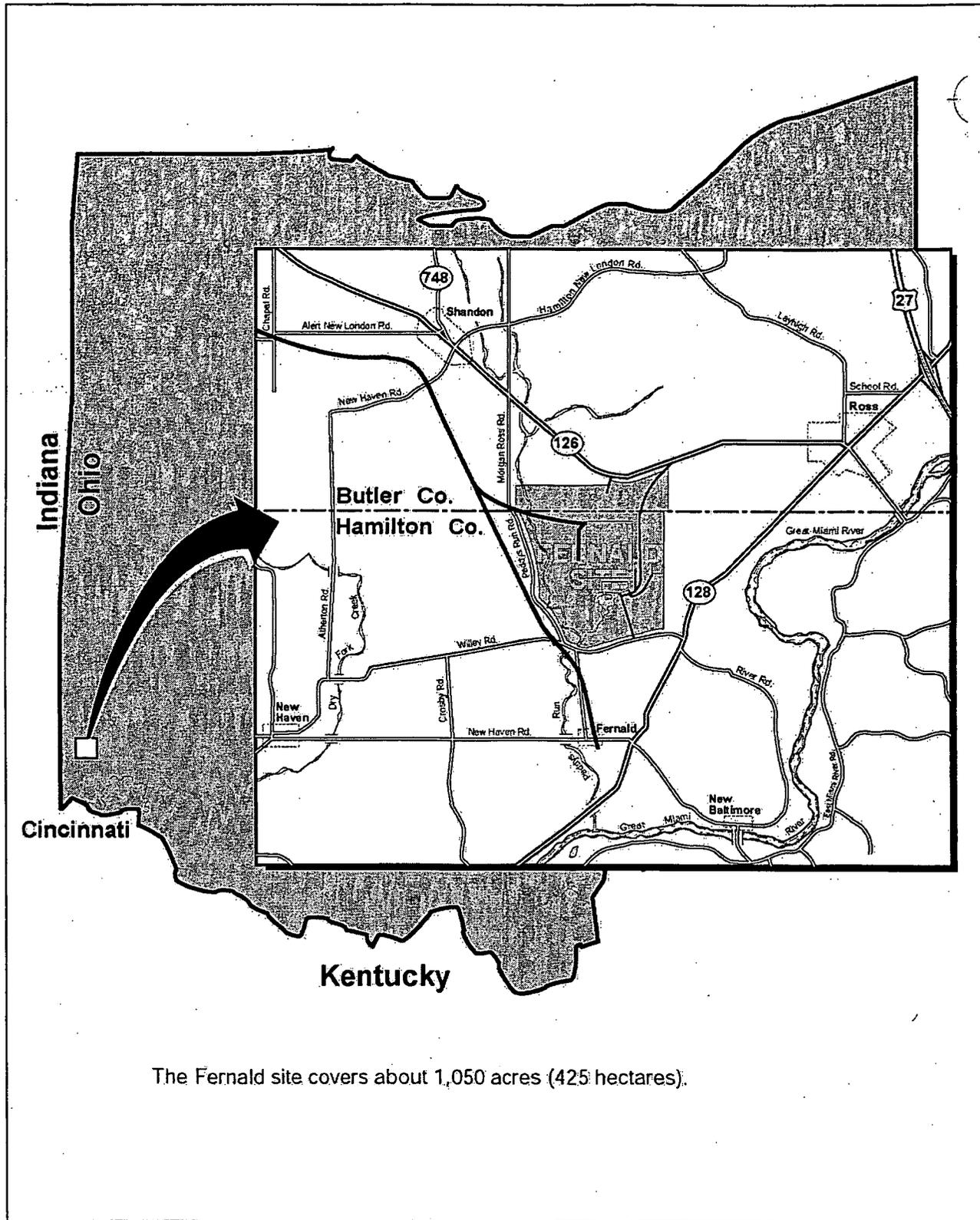


Figure 1. Fernald Site and Vicinity

5.0 INTERESTED COMMUNITY MEMBERS, LOCAL, CITY, AND STATE ELECTED OFFICIALS

DOE recognizes that stakeholders may be any affected or interested party, including, but not limited to

- Local elected officials
- FCAB
- FRESH
- Fernald Living History, Inc. (FLH)
- Fernald Community Health Effects Committee (FCHEC)
- Current and retired Fernald contractor employees
- Citizens of Hamilton and Butler Counties
- State and local government agencies, including the Ohio Environmental Protection Agency (OEPA)
- Elected State of Ohio officials
- Federal agencies, including EPA
- Congressional delegations for Ohio and part of Indiana
- Local media
- Local elementary and secondary schools
- Environmental organizations
- Business owners
- Service organizations
- Other interested individuals.

The **FCAB** was originally established in August 1993 as the Fernald Citizens Task Force. In 1997, the task force changed its name to the Fernald Citizens Advisory Board to coincide with citizens' advisory boards at other DOE sites. The FCAB is a DOE Site-Specific Advisory Board chartered by the Federal Advisory Committee Act to advise DOE on activities pertaining to the remediation and future use of the Fernald site. The board consists of 13 members of the public, including local residents, labor representatives, local government officials, academia, and business representatives, along with ex officio members from DOE, EPA, OEPA, and the Agency for Toxic Substances and Disease Registry. The FCAB continues to be actively involved in the remediation and restoration activities for the FCP. The FCAB currently has funding through fiscal year 2005.

FRESH is an environmental activist group that was formed in 1984 to monitor Fernald activities. The stated purposes of the organization are to ensure the Fernald site is cleaned up, to communicate and educate the surrounding communities about the site, and to advocate for responsible environmental restoration and public health and safety. FRESH is a member of the Alliance for Nuclear Accountability (formerly known as the Military Production Network) and the Ohio Environmental Council and Environmental Community Organization. The group's motto is "Making a Difference Since 1984." The group holds regularly scheduled meetings and invites speakers to present on various aspects of the Fernald cleanup.

FLH is dedicated to ensuring that the history of Fernald, including its importance to the Cold War effort, what existed at the site, and its cultural significance, is available for future generations. This organization will play an important role in establishing institutional controls as a means of protecting the cleanup remedy at Fernald.

The organizations described above have played an integral role in the cleanup of Fernald. The Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 includes language that specifies the development of **Local Stakeholder Organizations (LSOs)** at three closure sites, including Fernald. The purpose of the LSO is to provide a formal mechanism for local communities to continue to be involved in DOE's decision-making process as it relates to the sites post-closure. The Office of Legacy Management has met with stakeholder groups representing each of these three closure sites to gather input on the potential LSO membership and transition to LSOs. The Office of Legacy Management is developing policies and processes for establishing and managing these organizations and is seeking funding for the creation and maintenance of a Fernald LSO. A schedule for development and implementation of these LSOs is also being proposed.

The Fernald LSO responsibilities will be to:

1. Solicit and encourage public participation in appropriate activities relating to the closure and post-closure operations of Fernald
2. Use LSO meetings or other forums to disseminate DOE information on the closure and post-closure operations of the site to the States of Ohio and Indiana, Butler and Hamilton Counties, neighboring townships, and to persons and entities having a stake in the closure or post-closure operations of the site
3. Transmit to appropriate managers or employees of DOE any questions or concerns on the closure and post-closure operations of the site from other government entities, or persons and entities referred to above
4. Perform such other duties as the Secretary of Energy and the LSO jointly determine appropriate to assist the Secretary in meeting post-closure obligations of the Department at the site. The Office of Legacy Management will provide additional information and consult with interested parties concerning the development of the Fernald LSO.

6.0 ROLES AND RESPONSIBILITIES

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The Office of Environmental Management is responsible for completing cleanup and closure of Fernald. This includes the decontamination and decommissioning of 255 former production plants, support structures and associated components; the shipment of all nuclear waste offsite; the remediation of five operable units; the removal of waste from three silos; extraction and treatment of contaminated ground water; the transfer of excess government property to state and local agencies; and the preparation of the property for long-term management by the Office of Legacy Management. Completion of Operable Unit 5 remediation (which involves contaminated environmental media including groundwater) will be an Office of Legacy Management responsibility.

The Office of Legacy Management is responsible for the long-term care of legacy liabilities at former nuclear weapons production sites following completion of the Office of Environmental Management cleanup effort. The primary goals of the office are to:

- Protect human health and the environment through effective and efficient long-term surveillance and maintenance
- Manage legacy land assets, emphasizing safety, reuse, and disposition
- Maintain the remedy
- Mitigate community impacts resulting from the cleanup of legacy waste and changing departmental missions
- Administer retiree benefit plans for former contractor employees
- Manage site records

Following the cleanup and closure of Fernald as an Office of Environmental Management site, responsibility for maintaining the CERCLA remedies will transfer to the Office of Legacy Management. The Office of Legacy Management will be responsible for compliance with the legacy management requirements and protocols that will be documented in a site-specific Legacy Management and Institutional Controls Plan (LMICP). At other DOE sites, the LMICP is known as the Long-Term Surveillance and Maintenance (LTS&M) Plan. The LMICP serves as the Fernald LTS&M Plan. Fernald's post-closure LTS&M requirements fall into two categories: operation and maintenance of the remedy, and legacy management in restored areas. Legacy management activities related to the maintenance of the remedy will include monitoring maintaining the on-site disposal facility, ensuring that site access and use restrictions are enforced, monitoring groundwater, educational outreach, and managing records. Maintaining institutional controls (safeguards that effectively protect human health and the environment) will be a fundamental component of LTS&M at Fernald, and will include ensuring no residential or agricultural uses occur on the property. Legacy management in restored areas will include ensuring that natural and cultural resources will be protected in accordance with applicable laws and regulations. Wetlands, and threatened and endangered species are examples of natural resources that will be monitored.

7.0 PUBLIC PARTICIPATION ACTIVITIES

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Public participation is an important part of the CERCLA process. Public participation activities are conducted in support of the DOE goal of actively informing the public about the FCP and site transition, and to provide opportunities for open, ongoing, two-way communication between DOE and the public.

DOE has been conducting public participation activities to meet citizen expectations for involvement in the decision-making process for areas not specified by statutes and regulations. In such cases, DOE has successfully used the consultative process by inviting the general public, special interest groups, and the local government to participate early in the decision-making process and the prioritization of Fernald activities. The consultative process supplements the public involvement activities required by law. By engaging the community early in decision-making processes, DOE is better able to integrate community values into its decisions and build trust among stakeholders.

The following are general descriptions of public participation activities currently being conducted by the FCP, what the Office of Environmental Management and Office of Legacy Management will do during site transition, and the Office of Legacy Management's plans post-closure. The Office of Environmental Management Cleanup refers to the activities currently taking place to meet CERCLA cleanup requirements. Site transition activities have also begun to prepare the site for closure and transfer of responsibility from the Office of Environmental Management to the Office of Legacy Management. Site transition will continue until the Office of Legacy Management assumes full LTS&M responsibility for the site. Post-closure refers to those activities to be conducted after the site has been cleaned up and transferred to the Office of Legacy Management for long-term custody. As activities at the site decrease, DOE anticipates a corresponding reduction in topics that warrant communication to stakeholders. Table 1 shows the public participation activities in each phase in table format.

8.0 MEETINGS

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DOE provides briefings, workshops, and presentations on site activities in a variety of public forums.

- **Public Meetings**

Office of Environmental Management Cleanup: The FCP holds public meetings quarterly or as circumstances dictate to address issues of importance to stakeholders. The purpose of these meetings is to provide information about the FCP and to seek comments from attendees. DOE also hosts public meetings during the comment period for decision documents and provides two weeks' notice of the date, time, and location of meetings so that interested stakeholders can plan to attend.

Site Transition: Public meetings will be held as needed to address significant transition issues, such as to present ground water monitoring results and the demolition of significant buildings or facilities at the site. The Office of Environmental Management and the Office of Legacy Management will present information about ongoing transition activities from the Office of Environmental Management to the Office of Legacy Management. The Office of Legacy Management will also participate in a public meeting during the comment period for the draft LMICP.

Post-Closure: The Office of Legacy Management will hold public meetings quarterly the first year post-closure and as needed thereafter to address post-closure issues of importance to stakeholders. These meetings will provide information about long-term surveillance and maintenance activities being conducted at the site and will present the results of annual site inspections.

- **Briefings for Local, State, and Federal Elected Officials**

Office of Environmental Management Cleanup: In addition to the regularly scheduled public meetings, DOE, in coordination with EPA and OEPA, holds specific topical meetings to give elected officials the opportunity to provide input and influence decisions that affect their communities.

Site Transition: The FCP will continue to hold briefings throughout site transition. The Office of Legacy Management will participate in or hold its own meetings with elected officials as needed to discuss specific topics related to site transition.

Post-Closure: The Office of Legacy Management plans to continue holding briefings with elected officials as needed to discuss new data trends or the evaluation of post-ROD changes.

TABLE 1

MATRIX OF PUBLIC PARTICIPATION ACTIVITIES

Activity	EM/Cleanup	Site Transition	Post-Closure
Meetings			
Public Meetings	<ul style="list-style-type: none"> Quarterly or as needed For information, to address issues, and during regulatory comment periods two weeks' notice 	<ul style="list-style-type: none"> Held as needed Address significant transition issues, such as ground water monitoring results and demolition of significant facilities, and during LMICP comment period two weeks' notice 	<ul style="list-style-type: none"> Quarterly first year post-closure and as needed thereafter Address post-closure issues, including LTS&M activities and annual inspection results
Briefings for Elected Officials	<ul style="list-style-type: none"> In addition to public meetings Specific topical meetings Opportunity for input on decisions related to their communities 	<ul style="list-style-type: none"> FCP will continue through site transition LM will participate or hold its own meetings 	<ul style="list-style-type: none"> LM plans to continue post-closure Discuss new data trends or evaluation of post-ROD changes
Meetings with Citizens Groups	<ul style="list-style-type: none"> FCAB holds regular meetings A designated federal official attends FCAB meetings Address specific issues and DOE has opportunity to provide site status 	<ul style="list-style-type: none"> FCP will continue to support and participate in FCAB meetings LM will frequently attend EM and LM also available to meet upon request 	<ul style="list-style-type: none"> LM will work with whatever stakeholders exist post-closure Establishment of a Fernald LSO will provide post-closure forum for stakeholders to continue dialogue with DOE
Administrative Record and Public Reading Room	<ul style="list-style-type: none"> PEIC established for public access to documents Open to public by appointment 	<ul style="list-style-type: none"> PEIC will be updated through transition FCP and LM evaluating options for future location; may be temporarily off site Documents will be available through site closure Administrative Record will be available on the Internet 	<ul style="list-style-type: none"> Maintain Public Reading Room at least two years post-closure Future location undecided; plans for on-site location

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**TABLE 1
(Continued)**

Activity	EM Cleanup	Site Transition	Post-Closure
On-site Education Facility	<ul style="list-style-type: none"> • FCP working with stakeholders to preserve history of Fernald • Efforts to date: <ul style="list-style-type: none"> ○ Videotaped interviews ○ Catalogued photographs and artifacts ○ Identify potential location of education facility ○ Establishing Cold War Memorial 	<ul style="list-style-type: none"> • Continue discussing location, size, and scope of education facility • Post photographs on LM website • Make photographs and artifacts available, and donate excess equipment to community groups • Determine final location of Cold War Memorial 	<ul style="list-style-type: none"> • Finalize plans for on-site education facility • Continue donating photographs, artifacts, and excess equipment to community groups • Complete installation of Cold War Memorial
Internet Website	<ul style="list-style-type: none"> • Existing website: www.fernald.gov/ • Will be updated as new decision documents and information available 	<ul style="list-style-type: none"> • Links to LM web pages have been established • EM and LM will decide what information from FCP website will be maintained on LM website 	<ul style="list-style-type: none"> • LM will maintain web page for Fernald • Will include CERCLA documents prepared post-closure • Administrative Record will be available electronically through the Internet
Site Tours	<ul style="list-style-type: none"> • FCP provides tours as requested and can be tailored to requestor's needs 	<ul style="list-style-type: none"> • FCP will continue to offer site tours 	<ul style="list-style-type: none"> • Site tours are important to inform community of efforts to protect human health and the environment • LM, in coordination with post-closure site manager, will conduct tours as requested
Documents for Public Review and Comment	<ul style="list-style-type: none"> • Informational copies of documents <ul style="list-style-type: none"> ○ Working drafts of decision documents are made available for public review ○ Certain draft documents may not be released as informational • Decision Documents <ul style="list-style-type: none"> ○ CERCLA documents are made available for public comment ○ Review copies available in Public Reading Room 	<ul style="list-style-type: none"> • Will continue current processes 	<ul style="list-style-type: none"> • Will follow CERCLA requirements for public comment • Will consult with stakeholders on review of non-regulatory documents • Anticipate minimal number of documents created • Changes required post-closure to significant cleanup documents will be discussed with stakeholders

**TABLE 1
(Continued)**

Activity	EM Cleanup	Site Transition	Post-Closure
News Releases and Editorials	<ul style="list-style-type: none"> • Issued to announce public meetings, provide information, or for other noteworthy events • Distributed to identified news media and other stakeholders 	<ul style="list-style-type: none"> • FCP will continue existing process • LM will issue news releases associated with LM activities 	<ul style="list-style-type: none"> • LM will continue to issue news releases post-closure
Publications	<ul style="list-style-type: none"> • Various publications are prepared as needed to provide project status updates or to describe technical information • Distributed through the mail 	<ul style="list-style-type: none"> • DOE will continue to prepare publications as needed for site transition 	<ul style="list-style-type: none"> • LM will prepare fact sheets as needed • Distributed through mailings and posted on website
Public Outreach Presentations	<ul style="list-style-type: none"> • Representatives are available to speak on a variety of topics 	<ul style="list-style-type: none"> • EM and LM representatives will continue to be available as requested 	<ul style="list-style-type: none"> • LM is evaluating the need for a local staff person at the site post-closure
Emergency Contacts	<ul style="list-style-type: none"> • Agreements have been established with local emergency responders • FCP notifies established contacts during emergencies 	<ul style="list-style-type: none"> • Existing agreements will remain in place through site transition 	<ul style="list-style-type: none"> • LM will establish response mechanisms • Established contacts will be notified in emergency situations • Signs with toll-free number will be posted around site
Mailing Lists	<ul style="list-style-type: none"> • A stakeholder mailing list is maintained 	<ul style="list-style-type: none"> • FCP will continue to maintain through transition 	<ul style="list-style-type: none"> • LM will assume responsibility for maintaining Fernald contacts

- **Meetings With Citizens Groups**

Office of Environmental Management Cleanup: There are regularly scheduled FCAB meetings, which are held 10 times per year. The FCAB is an official Site-Specific Advisory Board and, as such, receives funding and other support from DOE. A designated federal official attends FCAB meetings as an ex officio member. Other ad hoc groups, such as FRESH, FLH, and FCHEC, regularly convene to work on cleanup and future use issues. Citizens group meetings provide DOE and interested community members opportunities to address specific concerns or issues, and allow DOE a chance to provide a status of site activities.

Site Transition: The FCP will continue to support and participate in FCAB meetings through fiscal year 2005. The Office of Legacy Management will frequently attend, especially when issues related to post-closure activities are on the agenda. The Office of Environmental Management and Office of Legacy Management will continue to meet with citizens groups as requested through site transition.

Post-closure: The Office of Legacy Management plans to work with whatever stakeholders exist post-closure to discuss topics of stakeholder interest and concern. The establishment of a Fernald LSO will provide a post-closure forum for stakeholders to continue a dialogue with DOE.

9.0 ADMINISTRATIVE RECORD AND PUBLIC READING ROOM

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Office of Environmental Management Cleanup: DOE established the Public Environmental Information Center (PEIC) in 1990 to provide convenient public access to documents about Fernald cleanup activities. The PEIC contains three sections: (1) an Administrative Record, which contains documentation of Fernald's decision-making process for the RI/FS and RODs; (2) post-ROD files, which are a collection of work plans, treatability studies, design packages, public comments, DOE's response to comments, and public notices; and (3) a Public Reading Room, which contains newspaper clippings, photographs, videotapes, and general information about Fernald and other DOE sites.

The address and phone number for the PEIC are:

The Fernald Closure Project
Public Environmental Information Center
690 E. Crescentville Rd.
Cincinnati, Ohio 45246
(513) 648-5051

The PEIC is open to the public by appointment.

Site Transition: The FCP will continue to update the PEIC through site transition. The FCP and the Office of Legacy Management are currently evaluating options for the future location of the PEIC; however, by law, DOE must and will make documents available to the public through site closure. Because of cleanup activities, it is likely that the PEIC will be temporarily located off site. The FCP plans to make the Administrative Record available electronically through the Internet.

Post-Closure: The Office of Legacy Management plans to maintain a Public Reading Room for at least two years post-closure. As stated above, the future location of the reading room has not been decided; however, DOE plans to have a post-closure information center located on site.

10.0 ON-SITE EDUCATION FACILITY

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Office of Environmental Management Cleanup: DOE has supported efforts to provide information on Fernald's history, from pre-construction and construction of the Feed Materials Production Center to environmental cleanup and ecological restoration of the site. To date, examples of the FCP's efforts to capture site history are videotaping oral history interviews; organizing and cataloguing photographs and non-photographic artifacts; discussing with interested stakeholders potential locations for an on-site education facility; and establishing a Cold War Memorial.

Site Transition: The FCP will continue to work with stakeholders to determine the location, size, and scope of an on-site education facility that could house the Public Reading Room and provide a venue for other activities. The FCP will identify mission-related and other important photographs to be available through the Office of Legacy Management website, will begin making non-mission-related photographs and artifacts available and donating excess equipment to interested community groups for site preservation activities, and will determine the final location of the Cold War Memorial.

Post-Closure: The Office of Legacy Management will continue to work with interested stakeholders who desire to preserve and tell the story of Fernald. The Office of Legacy Management will finalize plans for an on-site education facility, continue making photographs and artifacts available to community groups, support community efforts to develop and provide historical preservation programs, and complete installation of the Cold War Memorial.

11.0 INTERNET WEBSITE

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Office of Environmental Management Cleanup: Project information and documents, historical site information, future use documents, community involvement activities, visitor information, meeting announcements, news releases, and site photographs are posted on the Fernald website at www.fernald.gov. The website is updated as new decision documents or information becomes available.

Site Transition: A Fernald Site web page was created on the Office of Legacy Management website at www.lm.doe.gov. This web page includes a link to the existing Fernald website. The Office of Environmental Management and Office of Legacy Management will determine what information from the Fernald website will be necessary post-closure and will include that information to the Office of Legacy Management website. During transition, some documents may be posted on both the Office of Environmental Management and Office of Legacy Management websites.

Post-Closure: The Office of Legacy Management will maintain a web page for Fernald post-closure and will post site documents created after closure and make available online key documents associated with the cleanup and remedy. When the Administrative Record is available electronically, these documents will be accessible through the Internet. CERCLA documents prepared post-closure will be posted on the Office of Legacy Management website soon after they are released.

12.0 SITE TOURS

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Office of Environmental Management Cleanup: Tours of Fernald are provided to enhance community relations, increase public awareness of site closure activities, and meet public informational needs. Official visits or tours are scheduled based on specific requests and can include, but are not limited to, deactivation, decontamination, decommissioning, and demolition activities; remedial action work; facilities; and environmental restoration/waste management activities. Contact FCP Public Affairs to schedule a tour.

Site Transition: The FCP will continue to offer site tours through site transition.

Post-Closure: Tours provide an important forum to help the community understand post-closure site conditions and the controls in place to protect human health and the environment. Because of their value, the Office of Legacy Management, in coordination with the post-closure land manager, will conduct stakeholder and media tours as requested.

13.0 DOCUMENTS FOR PUBLIC REVIEW AND COMMENT

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- **Office of Environmental Management Cleanup:**
 - **Informational Copies of Documents**

The site has and will continue to make available for public review preliminary versions or working drafts of decision documents to keep the public informed of ongoing activities. These preliminary versions will be released as informational copies and are not intended to elicit formal public comment. Release of these documents is intended to facilitate public participation as an integral and effective part of site activities during the planning and execution stages of cleanup and closure, and during efforts to transition the site. This does not preclude stakeholders from discussing or posing questions during regularly scheduled public meetings or to site personnel. It does mean, however, that the site will not necessarily provide a formal response at the informational stage of the document. These working drafts will be used in the development of the draft or final document that will later be transmitted for formal regulatory review or public comment as required by CERCLA. The informational copies will be made available for public review concurrently with delivery to the regulatory agencies. The FCP may release informational or working drafts of documents in an electronic format or other convenient means. The informational documents are available to any individual or organization that requests such documents.

Certain preliminary versions or working draft documents may not be released as informational, such as those prepared to develop internal decisions or positions related to compliance or possible enforcement matters; that contain proprietary or contract-sensitive information; that have not been approved for release by an authorized classifier; that contain incorrect or suspect (non-confirmed) information; or when other key internal decisions or positions have not been adequately defined.

- **Decision Documents**

A formal public involvement process for decision documents is an important part of the CERCLA process and is in place to ensure stakeholders have the opportunity to provide input on cleanup and closure decisions at the site. This process is used for documents such as Proposed Plans and RODs. The FCP releases for regulatory review and comment a draft copy of all decision documents. After regulator comments have been addressed, the document is released for public comment. Review copies are available in the Public Reading Room. A copy of the approved document and response to comments are placed in the Administrative Record.

Site Transition: DOE will continue the current process for making decision documents, including informational copies, available to regulators and the public for review and comment.

Post-Closure: The Office of Legacy Management will provide opportunities for stakeholders to review and comment on post-closure documents as required by CERCLA regulations, including five-year reviews. For documents not specified by statutes and regulations, the Office of Legacy Management will consult with stakeholders to address citizen expectations for involvement in public review and comment. DOE anticipates the number of documents developed post-closure to be minimal. The Office of Environmental Management and Office of Legacy Management are currently preparing a LMICP for Fernald. This plan explains how DOE will fulfill its surveillance and maintenance obligation at the site. The public will be provided an opportunity to comment on the draft LMICP for Fernald before it is finalized and on future revisions to this document. This plan is currently scheduled for final public comment in April 2005. Changes required post-closure to significant cleanup documents will be discussed with stakeholders.

14.0 NEWS RELEASES AND EDITORIALS

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Office of Environmental Management Cleanup: DOE issues news releases and/or community advisories to announce public meetings, to provide information on project activities, and for other newsworthy events. News releases are distributed to identified news media and other stakeholders. DOE is the first point-of-contact for questions or comments regarding site cleanup activities.

Site Transition: The FCP will continue to issue news releases and/or community advisories on cleanup activities. The Office of Legacy Management will issue news releases and/or community advisories to announce public meetings regarding the Office of Legacy Management documents or activities. Stakeholders may contact the Office of Environmental Management or Office of Legacy Management media relations contacts in this section, as appropriate, depending on the subject matter.

Post-Closure: The Office of Legacy Management will continue to issue news releases and/or community advisories to announce public meetings regarding the Office of Legacy Management documents or significant post-closure activities.

15.0 PUBLICATIONS

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Office of Environmental Management Cleanup: DOE prepares a quarterly newsletter, and fact sheets, handouts, and other publications as needed for public distribution through the mail to provide a project status update and to describe technical and informational components of the FCP.

Site Transition: DOE will continue to prepare publications as needed to describe site transition activities.

Post-Closure: The Office of Legacy Management will prepare fact sheets as needed to describe the Office of Legacy Management post-closure activities. These fact sheets will be provided to stakeholders on the mailing list and on the Office of Legacy Management website.

16.0 PUBLIC OUTREACH PRESENTATIONS

Office of Environmental Management Cleanup: Fernald representatives are available to anyone who is interested in obtaining information about the site from its inception to its current closure mission. Fernald provides speakers to schools, professional associations, civic organizations, and community groups. Presentations can be made on topics such as history, vision, mission, cleanup, closure, waste management, environmental restoration, and safety and health. Contact FCP Public Affairs to request a presentation.

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Site Transition: The Office of Environmental Management and Office of Legacy Management representatives will continue to be available as requested to give presentations. In addition to the above topics, presentations can be made on site transition and long-term surveillance and maintenance.

Post-Closure: The Office of Legacy Management is evaluating the need for a local staff person to remain at the site post-closure. This on-site staff person, or an off-site Office of Legacy Management representative, would give presentations on Fernald as requested.

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17.0 EMERGENCY CONTACTS

Office of Environmental Management Cleanup: The FCP has agreements in place with local emergency responders to respond to any emergencies that may occur at the site. The FCP notifies established points of contact; regulators, local elected officials, community officials, and congressional offices are also informed promptly when such a situation arises.

Site Transition: The existing emergency response agreements will remain in place through site transition.

Post-Closure: The Office of Legacy Management will establish response mechanisms with local emergency responders in the unlikely event of an environmental emergency at the site post-closure. The Office of Legacy Management will make notifications to established points of contact; regulators, local elected officials, community officials, and congressional offices would be also informed promptly if such a situation arises. Signs with a toll-free number for citizens to report site emergencies or concerns will be posted at visible locations around the site. The LMICP for the site will provide additional details about what constitutes an emergency situation.

18.0 MAILING LISTS

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Office of Environmental Management Cleanup: Fernald maintains a stakeholder mailing list to notify individuals, public interest groups, local government, and agencies about key activities at the site. Names may be added or deleted from the stakeholder mailing list by contacting Fluor Fernald, Inc., Communications at (513) 648-4026.

Site Transition: The FCP will continue to update the stakeholder mailing list through site transition.

Post-Closure: The Office of Legacy Management maintains a contact database of all stakeholders associated with any Office of Legacy Management site. The Office of Legacy Management will assume responsibility for maintaining the list of Fernald stakeholders post-closure.

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ATTACHMENT B
INFORMATION CONTACTS

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<i>U.S. Department of Energy (DOE)</i>	
<i>DOE Office of Environmental Management</i>	
Bill Taylor Director DOE Fernald Closure Project P.O. Box 538705 Cincinnati, OH 45253-8705 (513) 648-3101 Email: bill.taylor@fernald.gov	Johnny Reising Deputy Director DOE Fernald Closure Project P.O. Box 538705 Cincinnati, OH 45253-8705 (513) 648-3139 Email: johnny.reising@fernald.gov
<i>DOE Office of Legacy Management</i>	
Jack R. Craig Office of Legacy Management Site Manager U.S. Department of Energy 606 Cochrans Mill Road Pittsburgh, PA 15236 (412) 386-4754 Email: craig@netl.doe.gov	Melinda Downing Office of Legacy Management Stakeholder Relations U.S. Department of Energy 1000 Independence Avenue, SW FORS Washington, DC 20585 (202) 586-7703 Email: Melinda.Downing@em.doe.gov
<i>U.S. Environmental Protection Agency</i>	<i>Ohio Environmental Protection Agency</i>
Gene Jablonowski Remedial Project Manager U.S. Environmental Protection Agency 77 W. Jackson Blvd. Chicago, IL 60604-3507 (312) 886-4591 Email: jablonowski.eugene@epa.gov	Graham Mitchell Fernald Project Coordinator Ohio Environmental Protection Agency 401 East 5 th Street Dayton, OH 45402-2911 (937) 285-6357 Email: graham.mitchell@epa.state.ohio.us
<i>Federal Elected Officials</i>	
<i>Ohio</i>	
The Honorable Mike DeWine Senator Attn: Helen Rhee United States Senate 140 Russell Senate Office Building Washington, DC 20515-3502 (202) 224-2315 Email: senator_dewine@dewine.senate.gov	The Honorable George V. Voinovich Senator United States Senate 317 Hart Senate Office Building Washington, DC 20510 (202) 224-2315 Email: senator_voinovich@voinovich.senate.gov
The Honorable John Boehner Representative U.S. House of Representatives 1011 Longworth House Office Building Washington, DC 20515-3501 (202) 225-6205 No email address available	The Honorable Ted Strickland Representative U.S. House of Representatives 336 Cannon House Office Building Washington, DC 20515 (202) 225-5705 No email address available
<i>Indiana</i>	
The Honorable Richard Lugar Senator United States Senate 306 Hart Senate Office Building Washington, DC 20510 (202) 224-4814 Email: senator.lugar@lugar.senate.gov	The Honorable Evan Bayh Senator United States Senate 464 Russell Senate Office Building Washington, DC 20510 (202) 224-5623 No email address available

<i>State Elected Officials</i>	
State of Ohio	
<p>The Honorable Bob Taft Governor of Ohio 77 S. High Street, 30th Floor Columbus, OH 432156117- (614) 466-3555 Email: jsamuel@gov.state.oh.us</p>	<p>The Honorable Robert Schuler Senator Ohio Senate Statehouse Room #221 Columbus, OH 43215 (614) 466-9737 Email: SD07@mailr.sen.state.oh.us</p>
<p>The Honorable Patricia Clancy Senator Ohio Senate Senate Building Room 143 Columbus, OH 43215 (614) 466-8068 Email: SD08@mailr.sen.state.oh.us</p>	<p>The Honorable Mark Mallory Senator Ohio Senate 907 Dayton Street Cincinnati, OH 45214 (937) 461-4990 or (614) 466-5980 Email: senatormallory@maild.sen.state.oh.us</p>
<p>The Honorable Gary Cates Senator Ohio Senate Senate Building Room 042 Columbus, OH 43215 (614) 466-8072 Email: SD04@mailr.sen.state.oh.us</p>	<p>The Honorable Steve Driehaus Representative Ohio House of Representatives 1157 Overlook Avenue Cincinnati, OH 45238 (513) 921-6511 or (614) 466-5786 Email: district31@ohr.state.oh.us</p>
<p>The Honorable Tom Brinkman, Jr. Representative Ohio House of Representatives 3215 Hardisty Avenue Cincinnati, OH 45208 (513) 321-6591 or (614) 644-6886 Email: district34@ohr.state.oh.us</p>	<p>The Honorable Tyrone Yates Representative Ohio House of Representatives 77 S. High Street, 11th Floor Columbus, OH 43215-6111 (614) 466-1308 Email: district33@ohr.state.oh.us</p>
<p>The Honorable Courtney Combs Representative Ohio House of Representatives 77 S. High Street, 14th Floor Columbus, OH 43215-6111 (614) 644-6721 Email: district54@ohr.state.oh.us</p>	<p>The Honorable Catherine Barrett Representative Ohio House of Representatives 5300 Hamilton Avenue Cincinnati, OH 45224 (513) 681-0050 or (614) 466-1645 E-mail: district32@ohr.state.oh.us</p>
<p>The Honorable Bill Seitz Representative Ohio House of Representatives 425 Walnut Street Cincinnati, OH 45202 (513) 451-3921 or (614) 466-8258 Email: district30@ohr.state.oh.us</p>	<p>The Honorable Bill Coley Representative Ohio House of Representatives 77 S. High Street, 11th Floor Columbus, OH 43215-6111 (614) 466-8550 Email: district55@ohr.state.oh.us</p>

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State Elected Officials**State of Ohio
(Continued)**

The Honorable Shawn Webster
Representative
Ohio House of Representatives
333 Sir Lawrence Dr.
Hamilton, OH 45013
(513) 868-6221 or (614) 466-5094
Email: district53@ohr.state.oh.us

The Honorable Jim Raussen
Representative
Ohio House of Representatives
77 S. High Street, 11th Floor
Columbus, OH 43215-6111
(614) 466-8120
Email: district28@ohr.state.oh.us

The Honorable Louis W. Blessing
Representative
Ohio House of Representatives
77 S. High Street, 13th Floor
Columbus, OH 43215-6111
(614) 466-9091
Email: district29@ohr.state.oh.us

State of Indiana

The Honorable Joseph E. Kernan
Governor of Indiana
Statehouse, Room 206
101 W. Washington Street
Indianapolis, IN 46204
(317) 232-4567
No email address available

Local Elected Officials

Mr. Pat DeWine
President
Hamilton County
Administration Building
138 East Court Street, Room 603
Cincinnati, OH 45202
(513) 946-4405
Email: pat.dewine@hamilton-co.org

Mr. Charles R. Furmon
President
Butler County
Government Services Center
315 High St., 4th floor
Hamilton, OH 45011
(513) 887-3247
Email: furmonc@butlercountyohio.org

Mr. Warren Strunk
President
Crosby Township
9129 New Haven Road
Harrison, OH 45030
(513) 367-6556
No email address available

Mr. Bob Copeland
Chairman
Morgan Township Trustees
P.O. Box 189
Okeana, OH 45053
513-738-2270
No email address available

Mr. Dennis Conrad, Jr.
Chairman
Reily Township
6376 Peoria-Reilly
Oxford, OH 45056
(513) 757-4113
No email address available

Ms. Ellen Yordy
President
Ross Township
2941 Layhigh Road
Hamilton, OH 45013
(513) 738-2543
Email: rosstwp@aol.com

County Health Departments	
<p>Hamilton County General Health District 250 William Howard Taft, 2nd Floor Cincinnati, OH 45219 (513) 946-7800</p>	<p>Butler County Health Department 301 South 3rd Street Hamilton, OH 45011-2913</p>
Environmental/Interest Groups	
<p>Fernald Citizens Advisory Board Jim Bierer Chair P.O. Box 538704 M.S. 76 Cincinnati, OH 45253-8704 (513) 648-6478 Email: jcbierer@fuse.net</p>	<p>Fernald Residents for Environmental Safety and Health Lisa Crawford President 10206 Crosby Road Harrison, OH 45030 (513) 738-1688 Email: lecrawford@earthlink.net</p>
<p>Fernald Living History, Inc. Steve Depoe President P.O. Box 235 Harrison, OH 45030 (513) 556-4451 Email: depoesp@email.uc.edu</p>	<p>Fernald Community Health Effects Committee Sue Verkamp Chair 7763 Willey Road Harrison, OH 45030 (513) 738-8020 No email address available</p>