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**RESPONSES TO PUBLIC COMMENTS
ON THE ENVIRONMENTAL ASSESSMENT
FOR FINAL LAND USE
AT THE FERNALD ENVIRONMENTAL
MANAGEMENT PROJECT**

**FERNALD ENVIRONMENTAL MANAGEMENT PROJECT
FERNALD, OHIO**



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**U.S. DEPARTMENT OF ENERGY
FERNALD AREA OFFICE**

**FINAL
06/28/99**

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APPENDIX A. PUBLIC COMMENTS RECEIVED ON THE FINAL LAND USE EA	

ACRONYM LIST

CERCLA	Comprehensive Environmental Response Compensation Liability Act, as amended
CFR	Code of Federal Regulations
CRO	Community Reuse Organization
DOI	United States Department of the Interior
DOE	United States Department of Energy - Fernald Office
DOE-HQ	United States Department of Energy - Headquarters
EA	Environmental Assessment
FEMP	Fernald Environmental Management Project
FCAB	Fernald Citizens Advisory Board
FDF	Fluor Daniel Fernald
FONSI	Finding of No Significant Impact
FRESH	Fernald Residents for Environmental Safety and Health
HEA	Habitat Equivalency Analysis
NEPA	National Environmental Policy Act
NRDA	Natural Resource Damage Assessment
NRIA	Natural Resource Impact Assessment
NRRP	Natural Resource Restoration Plan
OEPA	Ohio Environmental Protection Agency
OHPO	Ohio Historic Preservation Office
OSDF	On-Site Disposal Facility
OU	Operable Unit
PA	Programmatic Agreement
PEIC	Public Environmental Information Center
RI	Remedial Investigation
ROD	Record of Decision
SERA	Site-wide Ecological Risk Assessment

1.0 INTRODUCTION

The Department of Energy (DOE) has received a total of 80 public comments on the Environmental Assessment for Final Land Use at the Fernald Environmental Management Project (FEMP), and the FEMP Natural Resource Restoration Plan (NRRP). The comments have been considered by DOE in evaluating appropriate Final Land Use for the FEMP. The Environmental Assessment (EA) that was issued for public review proposed the following: approximately 884 acres of the FEMP be committed to natural resource restoration; 23 acres be evaluated for potential commercial development; approximately 20 acres be used for environmental projects resulting from the Operable Unit (OU) 4 Dispute Resolution agreement; and, approximately 123 acres be dedicated to the continued maintenance and monitoring of the On-Site Disposal Facility (OSDF) per existing Record of Decision (ROD) commitments. The NRRP provided a conceptual plan outlining a sequenced approach to implement natural resource restoration at the FEMP.

The EA was issued by DOE for public review pursuant to the National Environmental Policy Act (NEPA) as the first step in soliciting public input on future use of the Fernald Site. Based on review of the public comments, DOE is issuing a NEPA Finding of No Significant Impact (FONSI) in early 1999 which will serve as the decision document for overall final land use at the FEMP. The FONSI outlines DOE's decision with regard to overall final land-use and completes the NEPA process on the matter. Specific land uses of the 23 acre area are not within the scope of this EA. All final land use proposals for this area (e.g., development, museums) will be presented for public review and comment prior to finalizing in a separate NEPA process. To the extent possible, final land use decisions will reflect public consensus through the NEPA process and face-to-face meetings with Fernald stakeholders and other interested parties.

Many comments contained detailed questions and recommendations regarding specific aspects of the NRRP. Responses to these comments have been developed by DOE in conjunction with the Fernald Natural Resource Trustees (NRTs). Comments on the NRRP will be considered by DOE and the NRTs in developing the final revision of the NRRP and in planning specific restoration projects at the FEMP. The NRTs and DOE are committed to making design documents for restoration work at the FEMP available for public inspection prior to the implementation of any work.

Specific recommendations were also received regarding public use of the FEMP, once remediation and restoration work is complete (e.g., hiking, hunting). The types of specific uses that DOE will or will not allow on the FEMP is outside the scope of the Final Land Use EA and the NRRP. However, DOE and the Fernald NRTs will consider these comments in developing a Master Plan for Public Use at the FEMP which will be available in 1999. The Master Plan for Public Use will outline access restrictions and permissible uses of the FEMP once remediation and restoration work is complete.

All public comments received have been assigned a number (in no specific order) for the purpose of identifying them for response. The number assigned to each of the public comments is listed in Section 2.0, and shown on the upper-right corner of the comment sheet in Appendix A.

Because many of the public comments are similar in the aspect of final land use that they discuss, DOE has grouped like comments together and drafted responses for each comment group. These general responses are grouped according to subject matter, as follows:

- Potential economic development;
- Museum/educational facility;
- Natural resource restoration; and,
- Native American re-interment.

Some comments were too specific to be covered by the general responses, and therefore are addressed individually. All of DOE's responses to public comments can be found in Section 3.0, along with the comment number(s) that each response addresses.

2.0 INDEX OF PUBLIC COMMENTS

The following is a list of all comments received on the Environmental Assessment for Final Land Use at the FEMP. Each comment was assigned a number for the purpose of identifying it for response. These numbers are shown in the upper right hand corner of the comment sheet (see Appendix A).

<u>Commenting Party</u>	<u>Comment Number</u>
Fernald Residents for Environmental Safety and Health (FRESH)	1
Fernald Citizens Advisory Board (FCAB)	2
Crosby Township Historical Society	3
Charles and Edwa Yocum	4
Larry L. and Patti A. Stebbins	5
University of Cincinnati Center for Environmental Communication Studies	6
Gary W. Storer	7
Melvin and Jean Knollman	8
Vicky Dastillung	9
Greater Cincinnati Radio Control Club	10
William H. Knollman	11
Fernald Community Reuse Organization (CRO)	12
Edwa Yocum	13
Diana I. Cahall	14
Anonymous #1 (Voice Mail to Tom Schneider)	15
Anonymous #2 (Voice Mail to Tom Schneider)	16
Todd Bittner	17
BHE Environmental Inc.	18
Cheri Smyser	19
Jim Innis, Crosby Township Historical Society	20
Chris Taylor	21
Charles R. and Susan J. Verkamp	22
J.E. Walther	23
Linda Z. Krekeler	24
Edwa Yocum	25

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<u>Commenting Party</u>	<u>Comment Number</u>
Bob Ney, Member of Congress	26
Larry Householder, State Representative	27
Carol Schroer	28
Fernald Community Reuse Organization (CRO)	29
Robert G. Tabor	30
Bob Kispert	31
Oliver J. Collins	32
Barbara Crandell	33
Jean McCoard	34
The Tallige Cherokee Nation	35
Patricia A. Lowe	36
Native American Alliance of Ohio	37
Native American Alliance of Ohio	38
The Crosby Township Trustees	39
Graham E. Mitchell	40
Crosby Township Historical Society	41
Fernald Residents for Environmental Safety and Health (FRESH)	42
Fernald Community Reuse Organization (CRO)	43
Paul Callahan	44
Nellie Callahan	45
Ruth Padgett	46
Evelyn Garner	47
Margaret A. Mitchell	48
Marie Cotterman	49
Esther Rose	50
Gerald T. Lemay	51
Freda E. Kaufman	52
Jean R. Johnson	53
Mary Crossin	54

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<u>Commenting Party</u>	<u>Comment Number</u>
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Mary Longstreth	56
Bernita Dickerson	57
Hazel Hill	58
Thelma Colborn	59
Miami Tribe of Ohio	60
Delaware Tribe of Oklahoma	61
Wyandotte Tribe of Oklahoma	62
Loyal Shawnee Tribe of Oklahoma	63
North Eastern United States Miami Inter-Tribal Council and Iroquois Nation	64
Native American Alliance of Ohio	65
Miami Tribe of Oklahoma	66
Loyal Shawnee Tribe	67
Michael T. Chezick, United States Department of the Interior (DOI)	68
Donald Lake, Butler Soil and Water Conservation District	69
Thomas A. Schneider, Ohio Environmental Protection Agency (OEPA)	70
North Eastern United States Miami Inter-Tribal Council	71
Louis C. Bogar	72
Steve Wentzel	73
Lisa Crawford (from Natural Resource Trustee Workshop)	74
Pam Dunn (from Natural Resource Trustee Workshop)	75
Jim Innis (from Natural Resource Trustee Workshop)	76
Lisa Crawford (from Natural Resource Trustee Workshop)	77
David McWilliams (from Natural Resource Trustee Workshop)	78
William Satory (from Natural Resource Trustee Workshop)	79
Pam Dunn (from Natural Resource Trustee Workshop)	80

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3.0 RESPONSES TO PUBLIC COMMENTS

3.1 GENERAL COMMENTS ON POTENTIAL ECONOMIC DEVELOPMENT

- 3.1.1 **General Comment:** Commenting person/organization does not want any economic/industrial development on the 23 acres.

Comment Numbers: 8, 11, 16 (*para. 2*) 17 (*point 1*), 23 (*second point*)

Response: The land use proposed in the EA is a good faith attempt to balance a variety of community perspectives. The proposal to dedicate the vast majority of the site's acreage to natural resource restoration not only addresses those public preferences for an undeveloped site as the end state, but also satisfies DOE's legal obligations as a Natural Resource Trustee. Reserving 23 acres (less than 0.25 percent of the FEMP) for possible development recognizes, albeit on a limited scale, the legitimate community perspective that there at least be a possibility of some development that can partially offset the economic impacts associated with closure of the FEMP. It should be noted that the results of a survey conducted by the Fernald Community Reuse Organization (CRO) indicate that the market demand for this acreage for economic/industrial development is very low at this time.

While DOE believes the likelihood of economic development of the small 23 acre tract is low, the Department feels maintaining the option is appropriate. The CRO market survey indicated that interest of the tract may rise in the future as surrounding areas are developed. For this reason, DOE will reserve the 23 acre tract until the year 2004. This will allow DOE to determine whether the area will be required for borrow material to support construction of the OSDF and provide appropriate time to determine whether there is interest in development of the land. If it is determined that there is no interest in development of the land, the 23 acre tract will become additional land dedicated to natural resource restoration. If there is an interest in development of the land, DOE will initiate the NEPA process to solicit public input on the decision.

- 3.1.2 **General Comment:** Commenting person/organization does not want commercial or industrial uses on the 23 acres, but the area could be set aside for a future use that is consistent with the natural resource focus and the rural nature of the community.

Comment Numbers: 1 (*para. 1*), 2 (*para. 3*), 30 (*para. 3*), 70, 80 (*para. 3*)

Response: Refer to response to 3.1.1. If ultimately there is no market interest in economic or industrial development of the 23 acre parcel, DOE may choose a final use of the 23 acres that is consistent with the use of the remainder of the site. In this case, the public would be made aware of this decision and would have a chance to provide input.

- 3.1.3 **General Comment:** Ideas/suggestions for the proposed 23 acres, including the following:

- construction of a community library;
- add to the 23 acres the frontage on Willey Road from S.R. 128 to Paddys Run and 300-400 feet in depth;
- EMS/Firefighter state of art training facility;
- joint fire district;
- add to the 23 acres frontage on Willey Road to Paddys Run for industrial usage;

- wildlife refuge habitat;
- establishment of a premier radio control flying site;
- acreage set aside (reserved) for future community facility and/or economic development purposes;
- recreational facilities;
- memorial dedicated to cold war veterans that worked at Fernald;
- set aside 23 acres for further community input at later date.

Comment Numbers: 4, 5, 7, 10, 12, 25, 29, 30, 73

Response: The suggested uses of the 23 acre tract are all worthy of consideration through an appropriately established process. It was not the objective of the EA, however, to establish any specific use of the referenced area. As such, while the suggestions are greatly appreciated by DOE, they do not necessitate any change in the land use proposed in the EA. The commentors are encouraged to stay involved in the ongoing process of establishing a more specific final use of the 23 acre tract. The 23 acre tract is not expected to be available for any type of alternative use until a decision is reached on whether borrow material from the area is needed later in the remediation process.

3.2 GENERAL COMMENTS ON THE MUSEUM/EDUCATIONAL FACILITY

3.2.1 General Comment: Commenting person/organization favors a Museum/Educational Facility

Comment Numbers: 1(Para. 5 and 6), 2 (Para. 4 and 5), 3 (Page 1, 2, and 3), 4 (Para. 2, 3, and 4), 6, 7 (Para. 4), 13 (Para. 4), 20, 25, 28 (Para. 1), 30 (Para. 4), 31, 36, 60, 61, 67, 70 (Para. 5), 71 (Para. 2), and 80 (Para. 4)

Response: The idea of a museum/education facility at Fernald as part of the final land use has been suggested by many, and has received much public support. A museum/education facility would certainly be a way for DOE to preserve the heritage and legacy of our Nation, State and community. The ideas and suggestions we have received for this type of facility are very creative and imaginative. All suggestions will be taken into consideration.

Although the idea has received much support, DOE cannot divert funding from the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) remediation requirements to construct a museum.

The development of such a facility would have to be conducted with much care. The collection and preservation of artifacts, both cultural and industrial, must be in accordance with proper procedures and applicable federal regulations and guidelines. The FCAB Subcommittee on Stewardship and Fernald Community Reuse Organization have expressed interest in assisting in the development of a Master Plan for Public Use of the Fernald site. A portion of this plan will be investigating the possibility of construction a museum/educational facility at the FEMP.

3.3 GENERAL COMMENTS ON NATURAL RESOURCE RESTORATION

- 3.3.1 **General Comment:** A number of comments were made requesting that DOE give adequate consideration to implementability and maintenance issues associated with natural resource restoration. Specific comments included concerns regarding the ability to establish viable habitats on disturbed or remediated soil and ensuring that funding was available for maintenance activities after restoration is complete. Several comments recommended that DOE take advantage of existing, local expertise during the design of restoration projects. Several comments were made recommending that DOE not allow hunting, fishing, berry picking, etc., on the property after restoration is complete.

Comment Numbers: 1 (*Para. 2,4*), 2 (*Para. 2*), 13 (*Para. 3*), 74, 75-77, 80 (*Para. 2*)

Response: Implementability and cost were considered in the development of the NRRP and judged to be reasonable given the advantages of natural resource restoration as described in the EA. DOE and the NRTs agree that implementation will be challenging and are prepared to involve the appropriate third party expertise in order to provide the best opportunity for success. Contingency plans will be included in any settlement document among DOE and the NRTs. The objective of the EA was to establish allowable land uses on a macro basis (i.e. natural resource restoration on the majority of the site, reserving 23 acres for potential development).

- 3.3.2 **General Comment:** Comments were made requesting DOE maintain perimeter areas by mowing and controlling noxious weeds so that safety issues and weed control problems on adjacent land will be minimized.

Comment Numbers: 8 (*last line*), 11 (*Para. 9*)

Response: DOE will take road safety and control of noxious weeds into consideration when designing ecological restoration projects and developing maintenance requirements for the site.

- 3.3.3 **General Comment:** Several comments were made regarding details of the Natural Resource Impact Assessment (NRIA) and NRRP. Clarification was requested on the scope of natural resource impacts and the extent of proposed restoration activities.

Comment numbers: 14 (*Para. 3-4*), 72 (*Para. 3*), 17 (*Para. 3*)

Response: The preferred alternative, which would result in settlement of the \$206 million lawsuit and the DOE's CERCLA 106 obligations, represents several years of negotiation among the NRTs. The Department of the Interior's (DOI) NRDA regulation for hazardous substances at 43 CFR Part 11 identifies two primary components of a natural resource damage claim: (a) the cost to restore, rehabilitate, replace, and/or acquire equivalent natural resources for the injured natural resources, and (b) "compensable values," or the monetary value of the natural resource services that were lost prior to the restoration of injured resources to their "baseline" condition. The regulation defines services as the physical and biological functions performed by the natural resources.

The NRTs have used a restoration-based approach (as opposed to a monetary assessment of damages), to underscore the primary interest to restore and compensate for the loss of natural resources and the services those resources provide. The tool employed for the terrestrial resources was the Habitat

Equivalency Analysis (HEA). The application of HEA to the Fernald site conditions seemed to be favorable: injuries affect habitat; and related off-site human uses are difficult to quantify cost-effectively. HEA provided an appropriate determination for restoring and compensating the interim loss of most terrestrial habitat related natural resources and services, although considerations for human use still need to be fully incorporated into the NRRP.

The NRTs were unable to employ HEA in considering injuries to ground water because it is only for terrestrial habitats. The Great Miami Aquifer (GMA) is a significant natural resource. With this significant natural resource and the injury to it, it was difficult for the NRTs to separately address primary and compensatory restoration. As a result, the NRTs agreed to try to address the ground water issues as a whole. In addition to the primary restoration activities that DOE has committed to conduct which include remediation of the GMA and providing a replacement supply of potable water to the public, the NRTs have required that a portion of the Paddy's Run watershed be protected as an important groundwater recharge area, additional habitat be protected, and that a strong ground water educational/protection component be developed to benefit the public. Because this decision was unfortunately made late in the negotiation process, a detailed ground water education/protection proposal was not incorporated in the NRRP or Environmental Assessment. Consequently, the NRTs, DOE and the public have expressed a variety of opinions about this key restoration feature.

It is the intent of the NRTs and particularly DOE, to continue to work with stakeholders to determine the appropriate level of public use of those natural resource restoration features of the site as established by the proposed NRDA settlement. A possible compatible public use includes establishment of a multi-functional museum/educational facility onsite. Establishment of such a facility is contingent upon identification of an appropriate additional funding source.

To satisfy the NRTs' requirement for a groundwater educational component to the proposed NRDA settlement, DOE will commit to funding for the referenced educational component. If a multi-functional facility, such as a museum/educational facility is established on the site, the funding DOE has committed for groundwater education may be used to support establishment of the facility. Should this multi-functional facility fail to be established onsite, the funds committed by DOE for groundwater education will be used for an alternative educational use as established by the NRTs.

For clarification, DOE is not spending \$206 million on natural resource restoration. \$206 million is the amount of the existing claim filed against DOE by the State of Ohio in 1986. The restoration of natural resources will cost far less than \$206 million, however, significant resources are also being spent on site remedial activities including ground water remediation which have been taken into account by the NRTs.

- 3.3.4 General Comment:** Several comments were made requesting that DOE expand restoration plans to off-property areas. Suggestions included acquiring easements on additional wooded corridors near the site and the purchase of land near the site to preserve existing natural areas.

Comment numbers: 15, 16, and 17 (No. 3)

Response: The scope of the EA was land use of the FEMP property. As discussed in the EA, a significant driver for the proposed land use was the proposed settlement of the State of Ohio's claim and the DOE's CERCLA 106 obligations. Based on the results of the HEA, adequate acreage will be

available onsite for the conduct of restoration activities. It is the goal of DOE and the other NRT's to put forth a plan that achieves an appropriate level of compensation for natural resource impacts. Restoration of the FEMP property provides adequate compensation, therefore acquisition of additional land is not being contemplated by DOE and the NRTs. The DOE is, however, in the process of obtaining a conservation easement for an ecologically sensitive portion of land near the FEMP property. This effort is a result of the Operable Unit (OU) 4 Dispute Resolution process and is in addition to activities planned to settle the natural resource claim.

3.3.5 General Comment: Commenting person/organization generally supports natural resource restoration approach, including the use of wildlife corridors

Comment Numbers: 9,19, 22, 24 (*Para. 1*), 69, 70 (*Para. 2*)

Response: The NRTs agree with the comments provided. DOE will carry out all commitments made in the Records or Decision. A major component of the sitewide restoration projects outlined in the NRRP is the preservation and expansion of wildlife corridors on property.

3.3.6 General Comment: Numerous comments addressed the need for public use considerations within the restoration plan.

Comment numbers: 1-7, 13, 17-21, 25-28,30-31, 33-35, 39, 60-61, 66-67, and 71-72

Response: Numerous comments were received with regard to developing public access to the restored areas including hiking trails and bike paths along with the establishment of a facility which could serve as an educational center, library, and/or museum. The NRTs put forth much effort deciding on the amount and types of habitat restoration for the site. A significant amount of resources will be spent to restore the site. It is agreed that the future uses of the restored site by the public need to be clearly defined. A master site use plan will be developed to ensure that the individual projects are conducted in a way that is consistent with the master site use plan. Activities will be incorporated into the NRRP that will encourage and facilitate compatible human use of the site so that the public will fully benefit from the restoration of the site.

It is the intent of the NRTs and particularly DOE, to continue to work with stakeholders to determine the appropriate level of public use of those natural resource restoration features of the site as established by the proposed NRDA settlement. A possible compatible public use includes establishment of a multi-functional museum/educational facility onsite. Establishment of such a facility is contingent upon identification of an appropriate additional funding source.

To satisfy the NRTs' requirement for a groundwater educational component to the proposed NRDA settlement, DOE will commit to funding for the referenced educational component. If a multi-functional facility, such as a museum/educational facility is established on the site, the funding DOE has committed for groundwater education may be used to support establishment of the facility. Should this multi-functional facility fail to be established onsite, the funds committed by DOE for groundwater education will be used for an alternative educational use as established by the NRTs.

3.4 GENERAL COMMENTS ON NATIVE AMERICAN RE-INTERMENT

3.4.1 **General Comment:** Commenting Person/Organization favors establishment of a Native American Re-interment area on site as part of the final land use.

Comment Numbers: 1 (Para. 5), 2 (Para. 4), 3 (Para. 3, Page 3), 4 (Last sentence), 5 (Para. 3), 7 (Para. 3), 9 (Last sentence), 13 (Last sentence), 20 (Para. 4 and 10), 24 (Para. 2), 26, 27, 28 (Para. 2), 32, 33, 34, 35, 36, 37, 38, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 66, 67, 70 (Para. 4), 71 (Para. 1), 73, 74, 79, 80 (Para. 4).

Response: The proposed action for final land use at the Fernald Facility allows for re-interment of Native American Indian remains to be integrated with the restoration plan for the facility.

We are discussing the topic of re-interment with the DOI and DOE-HQ in order to understand possible issues and address these issues as the first step in this process. If successful, then the process of establishing a re-interment area for Native American Indian remains will require the cooperation of several Indian Tribes, Groups and Organizations, and the support of Federal Agencies. DOE is familiar with the process of re-interment, and the Federal regulations with which it must comply. Based on previous consultations regarding re-interment of Native American Indian remains, DOE maintains a positive relationship with all parties needed to see this project through to completion.

Specific actions to be taken include:

1. Consultations with DOI and DOE-HQ.
2. Begin consultation with affected Indian Tribes, Groups and Organizations.
3. Consolidate information into a Implementation Plan outlining the following: time frame to complete the project, funding of the project, burial site location, design, disposition of remains to Fernald, ownership and Federal protection, ceremonial use, and maintenance of re-interment records.
4. Review of Implementation Plan by Indian Tribes, Groups and Organizations.
5. Receive DOE approval to proceed with the construction of the re-interment area.
6. Begin, under the guidance of the Implementation Plan, the re-interment of Native American Indian remains.

3.5 SPECIFIC COMMENTS

Comment Number 14

Response: (Para. 4) The DOE is currently conducting a large scale remediation at the FEMP to address the release of hazardous substances to the environment (both onsite and offsite). The EA in no way relieves DOE from its liability for cleanup. DOE conducts an aggressive monitoring program at the facility property boundary to ensure compliance with all applicable regulations, including the Clean Air Act. The intent of the EA was to evaluate future (post clean-up) uses for the FEMP property. The proposed alternative (ecological restoration) was selected because it was compatible with the post clean-up topography of the site, it provided land on which to conduct restoration activities to settle the natural resource damage claim, and it was consistent with the ROD restrictions on future FEMP land use.

(Para. 5) Federally recognized Indian Tribes, State recognized Indian Groups and organizations proposed that DOE considers the on-property re-interment of Native American Indian remains not discovered at the Fernald Facility. The Attachments I (Associated Press, "Indians Suggest Former Uranium Plant Site Become Burial

environmental monitoring program, several tissue samples from game animals and domestic livestock, collected on the FEMP property, showed no uptake of radionuclides prior to sitewide remediation.

(No. 5) Long-term monitoring will be conducted at the OSDF as described in the Post Closure Care and Inspection Plan. Confirmatory monitoring for the presence of radionuclides in surface water and groundwater will be carried out through the Environmental Monitoring Program to ensure cleanup is complete. There is no need to monitor representative plant and animal species at the FEMP for the presence of radionuclides based on the conclusions of the Operable Unit 5 RI and the sitewide environmental monitoring activities mentioned above.

(No. 6) The objective of the EA was to establish allowable land uses on a macro basis (i.e. natural resource restoration on the majority of the site, reserving 23 acres for potential development). It is not the objective of the EA to establish more specific usages or limitations. The definition of recreational use will be defined, and issues such as access and allowable uses of the portions of the site dedicated to natural resource restoration will be outlined in DOE's Institutional Controls Plan. The public will be involved in the development and review of this plan. Federal ownership of the FEMP property in perpetuity is required by the OU2 ROD.

Comment Number 21

Response: There are a number of factors that will drive some use of the Fernald Site after cleanup is complete. The No-action alternative is not a viable alternative for DOE given the status of negotiations with the Fernald Natural Resource Trustees and other interests related to the 23 acres in the southern portion of the site.

Comment Number 23 (first point)

Response: On-property acreage available for ecological restoration was based on 1,050 acres, not 1,013 acres. Therefore, approximately 884 acres are available for natural resource restoration, once land is dedicated to the OSDF, the 23-acre commercial development area, and the OU4 environmental projects.

Comment Numbers 39, 40, 41, 42, and 43

Response: No DOE response necessary. Letter written to Dr. Francis P. McManamon, Department Consulting Archaeologist, National Park Service, Department of Interior, in support of establishing a re-burial area for Native American remains at the Fernald Facility.

Comment Number 68

Response: The status of mineral resources at the FEMP is being investigated. Information will be forwarded to DOI as soon as it is compiled. DOE will continue to work with DOI as a Trustee and will consider this input as part of the trusteeship process.

Comment Number 72

Response: (Para. 2 and 4) The issue regarding baseline conditions of natural resources at the FEMP has been a major source of discussion among the Trustees. The decision to restore to natural systems rather than an agricultural setting is based on the definition of injury under CERCLA and DOI guidance. CERCLA §107 imposes responsible party liability for injury, destruction, or loss of natural resources resulting from a release or threat of release of hazardous substances. Based on this definition, the argument was made that DOE is not liable for resources lost as a result of the construction of the plant. Consequently, injuries occurred on land already cleared and/or set aside once production began. The second aspect of determining baseline conditions involves the time-recovery concept established in 43 Code of Federal Regulations (CFR) 11. DOI considers baseline as a dynamic function. Natural resource services are to be returned to the baseline that would be

expected had the injury not occurred. This time-recovery function accounts for changes due to ecological succession, natural attenuation, dilution, climatic influences, etc. If DOE never developed the FEMP site after purchasing it, ecological succession would have developed a much different system than what was originally present (agricultural land) as evidenced today in the northern portion of the site, where some areas have undergone succession from cropland to early-successional woodlots. The Trustees agreed that baseline conditions at the FEMP would be the present-day ecological setting at the site rather than a pre-site agricultural setting.

(Para. 5) For many areas of the FEMP, the decision regarding baseline conditions did not significantly affect the impact assessment, since perimeter areas were not greatly factored into the need for restoration. DOE agrees that there was little impact to much of the FEMP. However, it should be noted that the acreage specified in the NRIA were not the sole driver for natural resource restoration. Rather, the NRIA acreage were plugged into the HEA methodology briefly described in the response to General Comment No. 6. The HEA exercise is provided in Addendum B to the NRRP. This process is being used by DOI and other Trustees as a means of determining the magnitude of appropriate restoration when impacts are primarily associated with ecological services. Typical decisions regarding responsible party liability for natural resource injuries are made through the Natural Resource Damage Assessment (NRDA) process. An NRDA involves the quantification of services lost due to injured natural resources and a conversion of these lost services to dollar damage estimates. While the dollar amounts can be large, all the monies collected by the Trustees are intended to be used to restore the resource. Therefore, HEA provides an alternative for determining appropriate restoration acreage directly from injury estimates without calculating dollar damages. Based on this process, DOE is potentially liable for 540 acres of restoration, not including groundwater. This acreage is higher than the 320 impacted acres identified in the NRIA because of the time considerations briefly described above. The DOE commitment for the remaining restoration acreage was negotiated as a proposed settlement for groundwater impacts, since groundwater restoration could not be calculated through the HEA process (which is terrestrial habitat-based). This brings the total required restoration to 884 acres.

The Aesthetic Barrier project was not initiated by DOE, but rather specifically requested by the FCAB Onsite Committee as a way to make long-term excavation activities less visible from offsite and thereby lessen any negative visual impacts. DOE is not trying to "hide" site work and welcomes anyone interested in site activities to contact DOE or Fluor Daniel Fernald (FDF) Public Affairs to receive more information or arrange a tour. DOE agrees with the commentor that white pines are not native to this area. However, they do provide an effective year round screen, and grow quickly, which is the reason they were used. All white pines planted are at least 12 feet apart. All other trees used on the project are native to southwest Ohio. Regarding tree selection, flowering dogwoods are very common in this part of Ohio as a native tree, and eastern redbuds were planted in the Aesthetic Barrier.

Regarding the acreage proposed for restoration, please refer to the above discussion. The proposed action was determined to have positive impacts to the environment because restoration will improve the site's ecological condition. Consultation with the Natural Resource Trustees suggests that payment of damages to settle the State's claim would exceed the cost of restoration. DOE and OEPA are working closely with DOI, U.S. Fish and Wildlife Service, and a number of universities to plan restoration of the FEMP. In addition, DOE will continue to pursue relationships with other organizations and agencies with expertise to support restoration planning. Other DOE sites are actively working with their respective natural resource trustees to resolve their CERCLA 107 obligations.

000017

APPENDIX A

PUBLIC COMMENTS
ON THE ENVIRONMENTAL ASSESSMENT
FOR FINAL LAND USE AT THE FEMP

000018

F.R.E.S.H., Inc.

2360

Fernald Residents for Environmental Safety and Health

October 20, 1998

Gary Stegner
Public Information Director
Fernald Environmental Management Project
U.S. Department of Energy
P.O. Box 538705, Mail Stop 45
Cincinnati, OH 45253-8705

Dear Mr. Stegner:

We are writing in response to the public release of the Environmental Assessment for the Proposed Final Land Use at the FEMP. F.R.E.S.H., Inc. supports the basic intent to restore the site with a focus on natural resources. However, there are a number of concerns and additions we would like to see addressed in the coming months.

First, we are concerned about the ability to create a healthy & self-sustaining ecosystem on land that is robbed of topsoil, vegetation and nutrients. We understand the financial considerations that were involved in this decision, and are willing to give DOE the leeway to create new wetlands rather than restore the site to something resembling the original grade. However, we believe that establishing working wetlands will be challenging. We hope that DOE and FDF are prepared to do everything possible and engage the appropriate experts in bringing the proposed ecosystem to fruition. If the planned ecosystems prove to be too difficult to implement, DOE must have a backup plan to ensure a natural environment is established consistent with the idea of a natural resource habitat at Fernald.

Second, we believe that all future uses of the site must be consistent with the natural resources focus of the site and the rural nature of the surrounding community. We do not believe that using the proposed 23 acres for ordinary commercial or industrial uses is consistent with the vision or offers anything of lasting value. The CRO studies prove there is no demand for this type of use and the Fernald site is the least likely candidate for such uses given it is smack dab in the middle of agricultural and natural resource lands.

Third, we feel that "recreational" needs to be refined/defined. When we speak of recreational uses, we think of hiking trails, bird-watching, bicycling, etc. We do not want to see fishing, hunting, swimming, softball, soccer -- in other words, those get in the dirt/water sorts of recreations. We need to remember that this site is not going to background and there should be some precautions made with regard to recreational uses. DOE needs to have some further discussions with the public regarding the definition of "recreational" uses.

000019

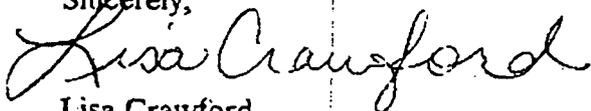
P.O. Box 129 • Ross, Ohio 45061-0129

Instead, F.R.E.S.H., Inc. believes that it is time to begin shaping a long-term vision for the future of the Fernald site that turns a negative into a positive and creates something of lasting value for the surrounding communities. We are fully in support of continued reinterment of Native American remains on the Fernald site in accordance with the stated wishes of numerous federal tribes, and we believe this creates a unique opportunity to turn Fernald into a site of national significance. We would also like to see the Fernald site used for a museum, cultural center, and a repository for Fernald documents and the Living History Project.

A cultural and/or historical center would blend in well with the established long-term uses of the site and create something of national significance and offer broader and longer-lasting value to the community. Also, it would be run by a government or non-profit organization that will be able to take over the long-term stewardship of the Fernald site outside of the OSDF. We also want to remind DOE that the OSDF will remain federal land and there will always be a need for monitoring of the OSDF and some sporadic monitoring of existing land at the FEMP due to the fact that we are not cleaning this site to background. We recognize that such an endeavor is beyond the current financial and logistical means of the DOE. However, we believe it is now time to begin planning this long-term future and identifying the parties and resources necessary to make it happen.

F.R.E.S.H., Inc. continues to discuss the details of this future use plan. We believe this is one of the most exciting and important things that can happen at the Fernald site and we look forward to working together to make this happen. This is what public participation is all about!!

Sincerely,



Lisa Crawford
President, F.R.E.S.H., Inc.

LC:eac

cc: files

000020



TO: Gary Stegner, 513-648-3073
FROM: Doug Sarno
DATE: 10/20/98
SUBJECT: FCAB Recommendations on Final Land Use
PAGES: 3

Attached are the FCAB comments on the future use of the Fernald site, please feel free to call me with any questions. Original is following in the mail, thanks,

Doug

000021



October 19, 1998

Chair
James C. Bierer

Vice Chair
Dr. Thomas E. Wagner

Members
Marvin W. Clawson
Lisa Crawford
Pamela Dunn
Jane Harper
Darryl D. Hunt
Dan McElroy
Robert C. Tabor
Dr. Claude E. Willeke
Ray Wurzelbacher

Ex-Officio
L. French Bell
Jack Craig
Gene Jablonowski
Graham Mitchell

Gary Stegner
Public Information Director
Fernald Environmental Management Project
U. S. Department of Energy
PO Box 538705, Mail Stop 45
Cincinnati, OH 45253-8705

Dear Mr. Stegner:

We are writing in response to the public release of the Environmental Assessment for Proposed Final Land Use at the Fernald Environmental Management Project. The FCAB supports the basic intent to restore the site with a focus on natural resources. This is in keeping with the original recommendations of the FCAB on future use. However, there are a number of concerns and additions we would like to see addressed in the coming months.

First, we are concerned about the ability to create a healthy and self-sustaining ecosystem on land that is robbed of topsoil, vegetation, and nutrients. We understand the financial considerations that were involved in this decision, and are willing to give DOE the leeway to create new wetlands rather than restore the site to something resembling the original grade. However, we believe that establishing working wetlands (particularly one that does not result in a breeding ground for mosquitoes) will be challenging. We hope that DOE and FDF are prepared to do everything possible and engage the appropriate experts in bringing the proposed ecosystem to fruition. If the planned ecosystems prove to be too difficult to implement, DOE must have a backup plan to ensure a natural environment is established consistent with the idea of a natural resource habitat at Fernald.

Second, we believe that all future uses of the site must be consistent with the natural resource focus of the site and the rural nature of the surrounding community. We do not believe that using the proposed 23 acres for ordinary commercial or industrial uses is consistent with this vision or offers anything of lasting value. The CRO studies prove there is no demand for this type of use and the Fernald site is the least likely candidate for such uses given it is in the middle of agricultural and natural resource lands.

Instead, the FCAB believes that it is time to begin shaping a long-term vision for the future of the Fernald site that turns a negative into a positive and creates something of lasting value for the surrounding communities. We are fully in support of continued reinterment of Native American remains on the Fernald site in accordance with the stated

000022

A United States Department of Energy Site-Specific Advisory Board

Post Office Box 544

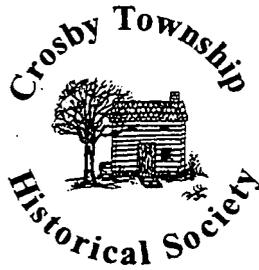
Ross, Ohio 45061

513.648.6478

2360 3

11716 Oxford Road, Harrison, Ohio 45030 (513)738-8764

October 13, 1998



Gary Stegner, Public Information Director
U. S. Department of Energy
P. O. Box 538705
Cincinnati, OH 45253-8705

re: Comments on Final Land Use at the FEMP, Fernald, Ohio.

Dear Mr. Stegner:

The Crosby Township Historical Society, founded in 1996, has grown to a membership of seventy-eight persons. We differ in ages, occupations, educational backgrounds, political viewpoints, and economic status, but we all share an interest in the history of our township, and agree to research and preserve that history, making it available for others to study and appreciate. In 2003, we will sponsor the celebration of our township's Bicentennial.

A remarkable fact of our township's history is its long, peaceful, agrarian quality— until 1951. In that year Crosby Township experienced the intrusion of a major element of change— the Feed Materials Production Center, called simply "Fernald" by most people. Through a sequence of actions— tactics used by the Atomic Energy Commission to acquire the farm land from families who lived here for generations, confusing rumors about its purposes, government-imposed rules of secrecy on its workers, and exposure of the public to environmental contamination— Fernald became a stigma for this community. Thirty-eight years later neighborhood concerns for health and safety were acknowledged and the only reasonable course begun, cessation of operations and remediation of the site. Now we are asked to approve a course of final environmental restoration— as if anyone could restore the site to "pre-Fernald" quality.

We have listened to the presentations at the FEMP workshop for Final Land Use, and read the Assessment summary. We are generally encouraged by your plan to create ponds, wetlands, forests, and prairies as wildlife habitat. We believe that remediation should help ease the stigma by providing a new image of a clean, natural environment, but we realize with disappointment that this plan, though it has merits, is a compromise. We will always carry the burden of the reputation of Fernald because contaminated materials will remain forever in the On-Site Disposal Facility. The public of this southwestern Ohio area will always live with the concern, "How can we be *sure* contamination won't seep out to effect our health and safety?"

A restored environment— ostensibly a wildlife habitat— on 884 acres of the site will not be enough. The greatest permanent legacy that can be left the people of Crosby Township and the neighborhood of Fernald would be a major educational facility on a clean portion of the site, perhaps on part of the 23 acres being reserved for possible commercial development.

000023

Located off the present South Access Drive, and visible from Willey Road and Rt. 128 should be a magnificent **Visitor's Center and Museum**. This facility should be included in the plan— to teach the public what nuclear science is all about, to *demonstrate* the sincere belief that what is being left behind is NOT going to destroy us, to restore faith in our government. The public needs to see exhibits of what transpired here under the veil of secrecy, to learn what role the dedicated workers at Fernald played in the Cold War, to sense some of the pride in the workers' and the neighborhood's sacrifices to make the world secure against the threats of nuclear war. People can also be taught not to have an unreasonable *fear* of nuclear *power* by understanding and respecting it. An important concept of the exhibits should be a timeline of history with four major themes— Native American pre-history, European-American settlement, the Nuclear Age, and Man and his Environment— to give visitors a means of grasping how much human civilization has passed before, and since, the discovery of nuclear energy, and what improvements have been brought to our lives through nuclear science. Who were the inventors, scientists, engineers? The displays should range from technical artifacts of manufacturing and processing equipment from the facility, to its contributions to energy production and weaponry. Interactive displays of computer terminals with touch-screens and CD-ROMs should offer menus to a universe of history and technology as a tool of public education.

Along a timeline of regional history beginning at the end of the last Ice Age march the cultures of early humans who first made their camps or homes here, followed by successively more culturally advanced groups of Native Americans, to the time of first European explorers and traders. Events and history of the European-Americans who settled here 200 years ago, key to the birth and development of the Township, blend into the lives of their descendants. The final half-century tells of the Cold War and Fernald, and the close of that era and the remediation of the facility. The backdrop of environmental evolution, from the Ice Age, through human settlement, agricultural development, industrial contamination, pollution detection, and processes of remediation should prove a powerful series of lessons for all visitors.

The museum should display the collections of pre-historic cultural artifacts that have been discovered on the site, as well as additional artifacts that may be donated from private archaeological collections of this region. We have a rich heritage of Native American evidence, possibly unique in the entire tri-state area, and it should be displayed for public appreciation and education. Consideration should be given to both permanent, and temporary exhibits loaned from other museums or universities.

DOE's and FDF's vast archive of photographs— of the neighborhood, the construction, the employees, the facilities, of uranium production, and of the remediation— should remain here with the museum as part of our legacy, not be moved to the National Archives in some distant city. They can be a valuable component of the displays of history of the area and the site. The library at the PEIC should stay for the public benefit, incorporated into a library in this Visitor's Center/Museum, and include other reference materials for public reading and research related to the museum's subject collections.

Oral histories of hundreds, perhaps thousands, of Fernald's employees, retirees, and neighbors will be recorded in the next few years by the volunteer group managing the Fernald Living History Project. Nowhere could be more appropriate than this museum to archive the collection of memories, and incorporate them into interactive touch-screen computer audiovisual displays— a truly "lasting memorial" to the people of Fernald.

Classrooms for school group field trips will allow discussions or instruction by teachers or volunteers to smaller groups; a large auditorium will be needed for audiovisual presentations, public seminars, and programs put on by invited lecturers, and for scheduled public meetings. Besides the educational, the Visitors' Center/Museum will need staff offices, lounge space for employees and volunteers, a food service facility, a shop selling books and other appropriate souvenirs, exhibit preparation and multimedia labs, storage rooms, janitorial facilities and restrooms. The building should be especially designed for ready access by school class tours in such a manner that they should not hinder individuals and families of the visiting public.

The Visitor's Center/Museum should have a broad expanse of windows providing a panorama of the restored natural landscape for people to view and appreciate in all seasons and weather. This will be a place unlike any other in the Midwest where a natural park with native wildlife surrounds a major interpretive-center. Perhaps in addition to the several white-tail deer that choose to live here, a small number of American bison and elk could be introduced to graze freely on the grasses and among the trees, just as these species did here several hundred years ago. Their hoof prints and droppings will provide a positive benefit for the restored prairies. What a sight these animals would be!

We would like to include our support for the proposals of The Native American Alliance of Ohio to be allowed to re-enter the culturally-unidentified remains of prehistoric Indians on the Fernald site. We feel this would be consistent with the area becoming a natural preserve, and feel that unobtrusive monuments honoring their departed ones would be appropriate. Trails could even lead from the museum to the reburial site if such would not offend their beliefs. From the museum exhibits, the public will learn much about the cultures that have lived here, then walk to see monuments erected to their predecessors by modern Native Americans. This would also provide a message to the public that disturbance of burials is no longer an approved pastime, and that skeletal remains, whatever the origin, should be treated with respect and left in place in the ground. As a means of providing supervision and record-keeping for the reburial site, we suggest that an office of Native American Oversight be included here in the Visitor's Center/Museum.

Thus this park and its Visitor's Center/Museum can be a total adventure in American history in Southwest Ohio, providing school children and adults a truly unique educational experience. It will attract tens of thousands a year; it will be on the national map of must-see museums and tourist sites.

(The foregoing proposal is supported by members of the Crosby Township Historical Society, but *may not* be a unanimous expression.)

Sincerely,



James R. Innis, Jr.
Board of Trustees
Crosby Township Historical Society

000025

Charles and Edwa Yocum
[REDACTED]

October 13, 1998

Gary Stegner,
DOE Public Affairs Office
P.O. Box 538704
Cincinnati OH 45253-8704

Ref.: Comments on EA- Final Land Use

Thank you for this opportunity to comment and be a part of the decision making process.

In addition to accepting DOE's preferred alternative I would like to propose that DOE research and consider the potential of a Educational Center to be developed on a portion of the 23 acre plot on site which has been set aside for economic development.

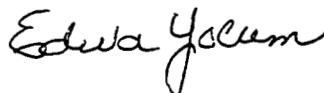
The educational center can easily be integrated with other site restoration activities and can benefit the Fernald site due to its eligibility to the National Register of Historic Place, also addresses Environmental Justice issues.

As a resident of the Fernald community I am requesting that DOE look into the potential use of a portion of the 23 acres available for development of a educational center/ Museum/Library. This Facility should contain the Historical Records of the Fernald Facility and the surrounding communities, (e.g. Native American History and settler from the time of the remains found to present, Production during the Cold War to the impact the site had on the community, Environment, Habitat, Eco-system). The records could be written, video, pictorial and life like displays.

Public involvement in the design and development of the educational center.

I support the reburial of Native American remains on site.

Sincerely

 
Charles and Edwa Yocum

000026

October 12, 1998

Gary Stegner
US Department of Energy
Cincinnati, OH 45253

Dear Gary,

As a residents of Ross, Ohio we have the following comments concerning land use after remediation at the Fernald Environmental Management Project (FEMP).

The proposed area for economic development should include the frontage on Willey road from the present FEMP entrance to the east to the property boundary and to the west to approximately Paddy's Run creek. Our suggestion would create a strip of land for reuse along the southern site boundary that would be superimposed over the present 25 acre parcel proposed for reuse. We would suggest that this area only need be 300-400 feet deep for there to be beneficial usage. If the areas for economic development are expanded in this way we feel that all parties interests can still be served; thus, for increasing the area for economic development the DOE should not be penalized in any way, because ultimately the money to pay for any natural resource damage comes from taxpayers not some unending money supply in our capital.

The area would benefit greatly from a productive use of the land. Our main recommendation is that the DOE sponsor the construction of a library for area residents. Presently residents of the surrounding townships must drive to Hamilton, Fairfield, or Harrison to use a library. We also favor the creation of a native American memorial and a burial area for native Americans of the Midwest.

We also feel that some of the capital equipment at Fernald could be put to beneficial reuse. We feel the west water tower if not demolished could serve the surrounding townships as a source of water during emergencies. Lastly, we feel that the present AWWT could serve the area as a water treatment facility if only viewed as an asset instead of a liability.

Sincerely,

Larry & Patti Stebbins

Larry L. & Patti A. Stebbins

000027

University of Cincinnati



FERNALD
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FILE

6

Center for Environmental
Communication Studies
University of Cincinnati
PO Box 210184
Cincinnati OH 45221-0184

620 Teachers College
Phone (513) 556-4440
Fax (513) 556-0899

October 19, 1998

Mr. Gary Stegner
U.S. Department of Energy, Fernald Area Office
P.O. Box 538705
Cincinnati, Ohio 45253-8705

RE: DOE FEMP
NEPA EA FOR FINAL LAND
USE AT FERNALD

Dear Mr. Stegner:

We are submitting this letter as members of the Fernald Living History Project Volunteer Advisory Group. The Fernald Living History Project (FLHP) is a community-based effort to document aspects of community and environmental history. The FLHP Volunteer Advisory Group has met monthly since October, 1997 to design a long-term project that documents the interactions between Fernald-area communities, former and current site workers, and government agencies, and the influence of these interactions on the character of local communities and individuals.

The FLHP Volunteer Advisory Group includes residents of communities neighboring the FEMP representing a variety of perspectives, who are working in partnership with two local universities and site officials. Members of the following organizations participate in the FLHP: Community Reuse Organization, Crosby Township Historical Society, Department of Energy, Fernald Citizens Advisory Board, Fernald Health Effects Subcommittee, Fernald Residents for Environmental Safety and Health, Fluor Daniel Fernald, Miami University's Institute of Environmental Sciences, Ohio Environmental Protection Agency, and the University of Cincinnati's Center for Environmental Communication Studies (CECS). Each community member who is participating as a volunteer advisor comes as an individual, not as an official representative for these groups. A list of individuals attending FLHP Volunteer Advisory Group meetings is attached to this letter.

In response to the Environmental Assessment (EA) for Proposed Final Land Use at the Fernald Environmental Management Project, as members of the Volunteer Advisory Group we make the following recommendations:

1. **Final land use restoration activities at the FEMP should include a physical location for a center devoted to educational and historical preservation purposes.** Creating an educational center can be easily integrated with other site restoration activities, specifically those activities proposed in the Natural Resources Restoration Plan. The EA states that "it is possible that recreational uses or ecological research/educational uses could be integrated with other restoration activities..." (U.S. DOE Fernald Area Office, September 1999, p. 6).

The history of government secrecy at the site, coupled with the environmental contamination faced by local communities and the subsequent decline in local property value, creates a

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compelling case for DOE to undertake this initiative. Establishing an educational center for local residents would further community involvement in environmental issues and public participation in environmental decision-making. Information and exhibits housed within the center can serve as a "lessons learned" for other communities and for future generations.

An educational center could provide local communities access to environmental and historical information through a wide variety of formats, including: interactive displays of community and site history; computer stations with Internet access and CD ROM capability; an archive of videotaped interviews with local residents, and former and current site workers; exhibits on community history, Cold War history, and site production and remediation history; resources on environmental issues that examines local interest; and a catalog of K-12 curriculum materials for local school districts.

As part of the implementation plan for this recommendation, DOE FEMP should provide funds for a feasibility study of the economic and educational impacts of such a center.

2. The educational center at the FEMP should feature exhibits devoted to the preservation of community and environmental history. As part of that effort, DOE should recognize and support the ongoing efforts of the FLHP and other community groups to identify and collect materials that document how communities and individuals have been affected by the presence of the site. An essential part of the history of DOE FEMP is the stories of the communities and individuals who were shaped by over four decades of site activities. Not until community and environmental histories are documented will the story of the FEMP's legacy be complete.

An educational center should house the materials to be collected by the FLHP and other groups over the next several years, including: a video archive of interviews conducted with local community members, and former and current site workers; a photo archive of local communities and the site; and memoirs from community members and workers. To demonstrate DOE recognition of the importance of community and environmental history, DOE FEMP should cooperate fully with community-based preservation efforts by providing staff time and other resources.

3. The educational center at the FEMP should display technical artifacts and the historical record of site activities. As part of that effort, DOE FEMP, with consultation from community members, should immediately begin to identify and collect materials associated with production and remediation activities and cultural resource preservation. Working with interested community members, DOE FEMP should facilitate the preservation of site history by recovering physical artifacts illustrating production and remediation technologies, before they are lost during site remediation. These artifacts document the role of the FEMP in nuclear weapons production efforts. In addition, DOE FEMP should designate representative photographs in existing archives for use in educational displays. The educational center should also house portions of the photo archives currently stored at FDF's Springdale offices. Because the FEMP was declared eligible for the National Register of Historic Places and a historical record of site buildings and activities exists, DOE FEMP should designate this and related historical materials for display in the educational center.

4. **The design and content of an educational center should be based on significant community input.** Because an educational center would provide access to information and educational materials to local communities, the design and content of technical and community components should be driven by community ideas. An effort to establish a community-designed educational center would insure its usefulness and availability to the immediate public. The formation of a citizens advisory panel could serve as a mechanism for soliciting community involvement. This approach has been proven successful in other site decision-making contexts and could continue to ensure that an educational center is driven by community perspectives.

The Fernald Living History Project Volunteer Advisory Group has already initiated an effort to document community-based history. As an additional step to demonstrate the sincerity of this effort, the Volunteer Advisory Group has moved to form a community nonprofit organization and is currently drafting an application to the State of Ohio to obtain non-profit status. The application should be submitted by the end of 1998.

5. **Because the collective memory of FEMP-area community members and retired site workers remains vivid, preservation efforts should be undertaken now so that future generations can more fully understand the social and environmental consequences of the FEMP's role in the Cold War.** While groundbreaking and construction for an educational center may not commence for a number of years, the design of such a center should begin now. Initiating the development of educational materials now will allow them to evolve as community stories are collected and related exhibits emerge. Sources of funding for this educational center should be identified and solicited. In addition, formal agreements should be developed between community groups, area universities and DOE FEMP regarding organizational roles/responsibilities pertaining to the educational center and ownership/stewardship of the materials and exhibits collected for the educational center. The FLHP Volunteer Advisory Group urges that the vital work of exhibit development and funding acquisition should move forward now.

In summary, we believe that the Fernald Living History Project, and any long-term educational efforts related to the history of the FEMP, should remain community-based. The creation of an educational center at the FEMP will help community members living near the site and citizens throughout the tri-state area pass on valuable lessons about the legacies of the Cold War to future generations.

Sincerely,

Stephen P. Depoe —

Stephen P. Depoe

Associate Professor, Head, Department of Communication
Director, Center for Environmental Communication Studies

Rhonda L. Barnes-Kloth

Rhonda L. Barnes-Kloth

Junior Research Associate, Center for Environmental Communication Studies

Jennifer Duffield-Hamilton

Jennifer Duffield-Hamilton

Graduate Research Fellow, Center for Environmental Communication Studies

000030

COMMENT CARD

7

Name: GARY W. STORER

2360

Address/Phone: [REDACTED]

Comment(s): I FEEL MORE LAND NEEDS TO BE DEDICATED FOR COMMUNITY USE. IN ORDER TO ESTABLISH A POSITIVE EFFECT AND AN ECONOMIC IMPACT FOR THE LOCAL RESIDENTS MORE LAND IS REQUIRED.

A JOINT EMS/FIREFIGHTER STATE OF ART TRAINING FACILITY IS A NECESSITY FOR COMMUNITY HEALTH AND SAFETY. THE JOINT FIRE DISTRICT AT THE SITE WOULD BE IDEAL FOR THE SURROUNDING COMMUNITIES AND A LONG TERM SAVINGS OF DOLLARS

A LEGACIES OF HONOR TO THE PAST IS ALSO NECESSARY. NATIVE AMERICANS ARE A VITAL LINK TO THIS AREA'S PAST. WE MUST HONOR & RECOGNIZE THEIR PAST ACCOMPLISHMENTS, THEIR REVERENCE FOR THE ENVIRONMENT, AND BURY THEIR DEAD

THE FERNALD PLANT MUST BE HONORED FOR ITS CONTRIBUTION

I plan to state my comment(s) during the hearing tonight. Yes No

Please add my name to Fernald's community mailing list. Yes No

COMMENT CARD

Name: _____

Address/Phone: _____

Comment(s): _____

TO WINNING A WORLD WAR. THE HEROES THAT WORKED AT THIS HISTORIC SITE MUST BE REMEMBERED AND HONORED. A LIVING HISTORY MUSEUM WOULD BE APPROPRIATE AND A "HANDS ON" EDUCATIONAL CENTER TO HELP A NATION UNDERSTAND OUR NUCLEAR FUTURE. IS A INDUSTRIAL USAGE COULD EXTEND WEST ALONG WILLEY F TO DADDY'S RUN.

THE WILD LIFE REFUGE HABITAT IS A RELATIVE NEW IDEA THAT COULD ALSO STIMULATE INTEREST, CREATE A SAFE FEELING, AND BOOST THE ECONOMY OF THE AREA THROUGH TOURISM ETC

000031

I plan to state my comment(s) during the hearing tonight. Yes No

Please add my name to Fernald's community mailing list. Yes No

THANKS FOR THIS OPP.

GARY STORER
RESIDENT/RESIDENT

COMMENT CARD

8

Name: Melvin and Jean Knollman

Address/Phone: [REDACTED]

Comment(s): I am writing in regards to the CER Economic Development Area ^{which is} across from my home. I would be opposed to commercial development for profit of this property in the future. I have had to put up with this project for almost fifty years, and it is time to clean it up and put it back to natural resources and not cause us more problems for the future. We feel no one has put up with more of the day to day problems which have occurred around this project, as we have. The areas around the property areas need to be mowed and maintained.

I plan to state my comment(s) during the hearing tonight. Yes No

Please add my name to Fernald's community mailing list. Yes No

COMMENT CARD

9

Name: Wicky Dastillang

Address/Phone: [REDACTED]

Comment(s): As long as the underlying aquifer is protected from future contamination and the ROD commitments listed on page 2 of the EA are fulfilled, I support the proposed final land use alternative. In addition, I support the return of Native American remains to the soil of the FEMR.

I plan to state my comment(s) during the hearing tonight. Yes No

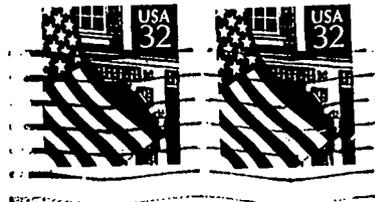
Please add my name to Fernald's community mailing list. Yes No

000032

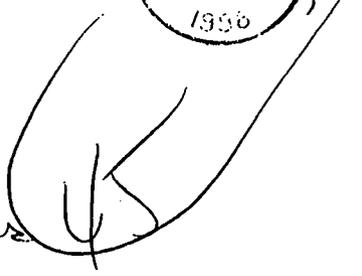
2360 10

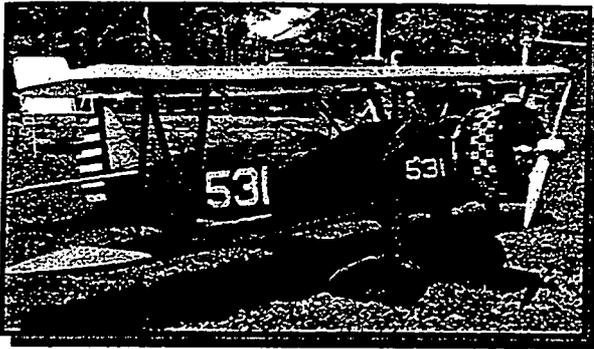
000033

Mr. & Mrs. Mark I. Feist



Gary Stagner
DOE Public Affairs
P.O. Box 538704
Cincinnati, Ohio 45253-8704



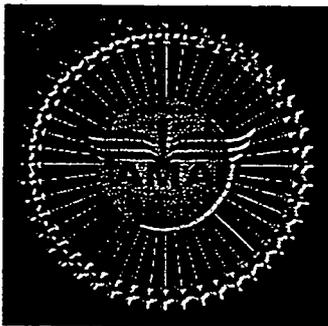


A Future Flying Site

A fact sheet prepared
by the
Greater Cincinnati Radio Control Club
August, 1998



AMA Charter Club #1012



Academy of Model Aeronautics

000034

Gary,

Per our conversation. Information
about our organization.

Mark Feist

GCRCC Need: After 37 years of operation, the Greater Cincinnati Radio Control Club (GCRCC) has lost their flying site located on the grounds of St. Francis Center in Springfield Township, west of the Winton Woods Park in Hamilton County Ohio. Flying operations ended on August 15th, 1998. The Club is actively searching for a new flying field.



Opportunity: The Club would like to lease or purchase suitable property for the establishment of a premier radio control flying site in the northwestern area of greater Cincinnati..

Club Background: Known as the *Winton Wingers*, the club began its flying activities at the Hamilton County Winton Woods dam site. It later moved to the St. Francis property and became known as the Greater Cincinnati Radio Control Club, an incorporated non-profit organization in the state of Ohio. It currently totals 170 members from ages 8 to 80 and includes many families, some with 3 generations of flyers. A number of physically handicapped members successfully fly and instruct at the field. It is open to anyone who meets the requirements of the Academy of Model Aeronautics and the GCRCC club rules. The GCRCC is a recognized AMA Leader Club and has one of the finest club safety records in the country.



What do we do? Club members enjoy building and flying radio control model airplanes. The club conducts an outstanding training program focused on safety and flying proficiency. Monthly flying contests are held for fun and for development of flying skills. A static display show is held each spring to recognize outstanding building skills. Club activities, building tips, and photographs are shared through a club newsletter and through the club web site at home.fuse.net/gcrcc/ The GCRCC maintained the St. Francis Center leased property by mowing all grass areas, maintaining the access road and by working with the Winton Woods Park through a memorandum of understanding to properly maintain animal habitat at the north edge of the site.



Community Involvement:

Community involvement has always been a trademark of the GCRCC. The annual Flying Circus Model Air Show is recognized as one of the finest in the country, attracting thousands of spectators and over 100 aircraft and pilots each August. It promotes the club, model aviation and brings money into the local economy.



The Boy and Girl Scouts learn about the model airplane hobby, schools receive subscriptions to Model Aviation magazine and in-school and in-church presentations are conducted throughout the year. Service clubs such as Kiwanis, and Knights of Columbus also enjoyed presentations. The club participates in mall shows such as the recent show at East Gate Mall.

The GCRCC will continue participation in full-scale airshows and has center stage for a portion of the upcoming Air Fest at Lunken Airport as part of the Cincinnati Riverfest activities in September.



The club holds a nationally recognized *Kid's Fly* event

for families of the Spina Bifida Association of Cincinnati which allows children, parents and grandparents the opportunity to fly model aircraft. Warm relationships have developed between individuals in both organizations and the club has been able to help the Association financially as well.

The GCRCC and other area flying clubs help support a number of local businesses including Carl's Hobbies in Forest Park and Phil's Hobbies in Colerain Township.



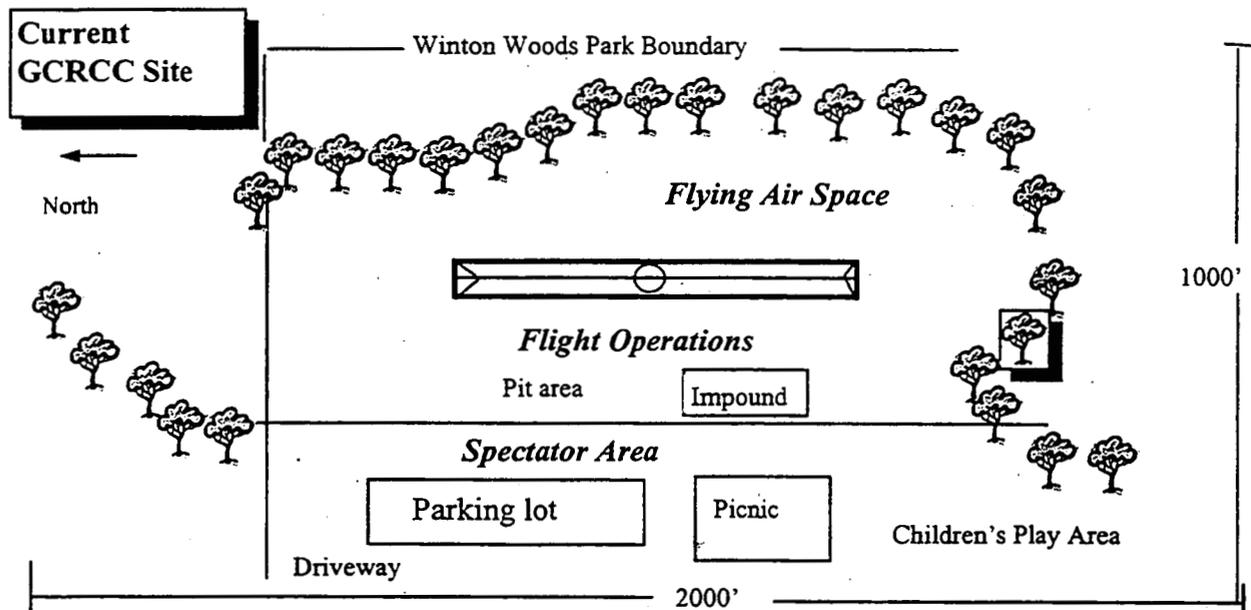
Site Requirements:

A flying site is approximately 2000' by 1000' divided into 3 use areas:

Flying Air Space: The unoccupied rectangular area over which model aircraft fly. May be undeveloped land and requires about 40 acres depending on surrounding property use.

Flight Operations: Consisting of approach, runway and takeoff areas, pilot flying positions and pit area. A level area limited to use by club members.

Spectator Area: A non-flying area used for member and spectator parking, picnic area, youth play ground and equipment storage. It is distinctly separated from the flying areas for safety. The flight operations and spectator areas require about 6 acres and is maintained by the club.



I Can Help: If you can help or know of someone, some organization or business that might be interested in helping the Greater Cincinnati Radio Control Club find their new flying site, please contact the club.

Mark Feist - (513) 662-9512
Ernie Jones - (513) 779-2564



October 18, 1998


DOE Public Affairs Office
Cincinnati, Ohio 45253

Gentlemen:

RE: FINAL LAND USE

While attending the information meeting held October 13, 1998 about the final land use of the Fernald property, I gathered from the comments at that meeting that restoring the area to a natural habitat area with an area for the Native American Indian Burial Ground seemed to be well received by people at the meeting.

The one area I am most concerned about would be the commercial area that might be considered in the future.

I would strongly object to the commercial area in question because of its location being planned directly north of my home on Willey Road (see attached map). I do not see any benefit to this community because of the commercial area which is being considered.

In my opinion, if the rest of the area would be returned to a natural habitat, then the 23 acres being considered would only be insignificant to the cleanup and restoration project. It only amounts to two (2) percent of the total area.

After visits to many national, state and county parks, I see no reason to even consider holding back 23 acres of the 1050 acres for commercial use. All park systems would increase their acreage if there would be property available to purchase that would join their existing property. For that reason, I feel the 23 acres SHOULD NOT be considered for commercial use.

As I pointed out before, the 23 acres considered for commercial use is such a small percentage of the total restoration (2%), that I feel any area not being used for specific purposes such as the onsite disposal facility, wetlands, open water areas, native american burial site and any site monitoring offices should be returned to a natural habitat environment.

My property has already been devalued once by being located across the road from the Fernald Plant and because of environmental problems that have occurred in the past.

Please do not allow a commercial park that is in consideration to be built on the Fernald Plant property that just happens to be directly across the road (north) from my house again. No one knows what types of businesses would be considered and what kind of nuisance problems would occur.

000038

Again, all I ask is, do not allow our environment to be invaded again with the commercial area in question and make plans for the future care of the property, especially the outer boundary to make it pleasing for the community such as not planting trees too close to the county roads and mow along the roads back far enough so wildlife can be seen before coming onto the roads and endeavor to control noxious weeds so that they do not create a financial problem for the adjoining farms.

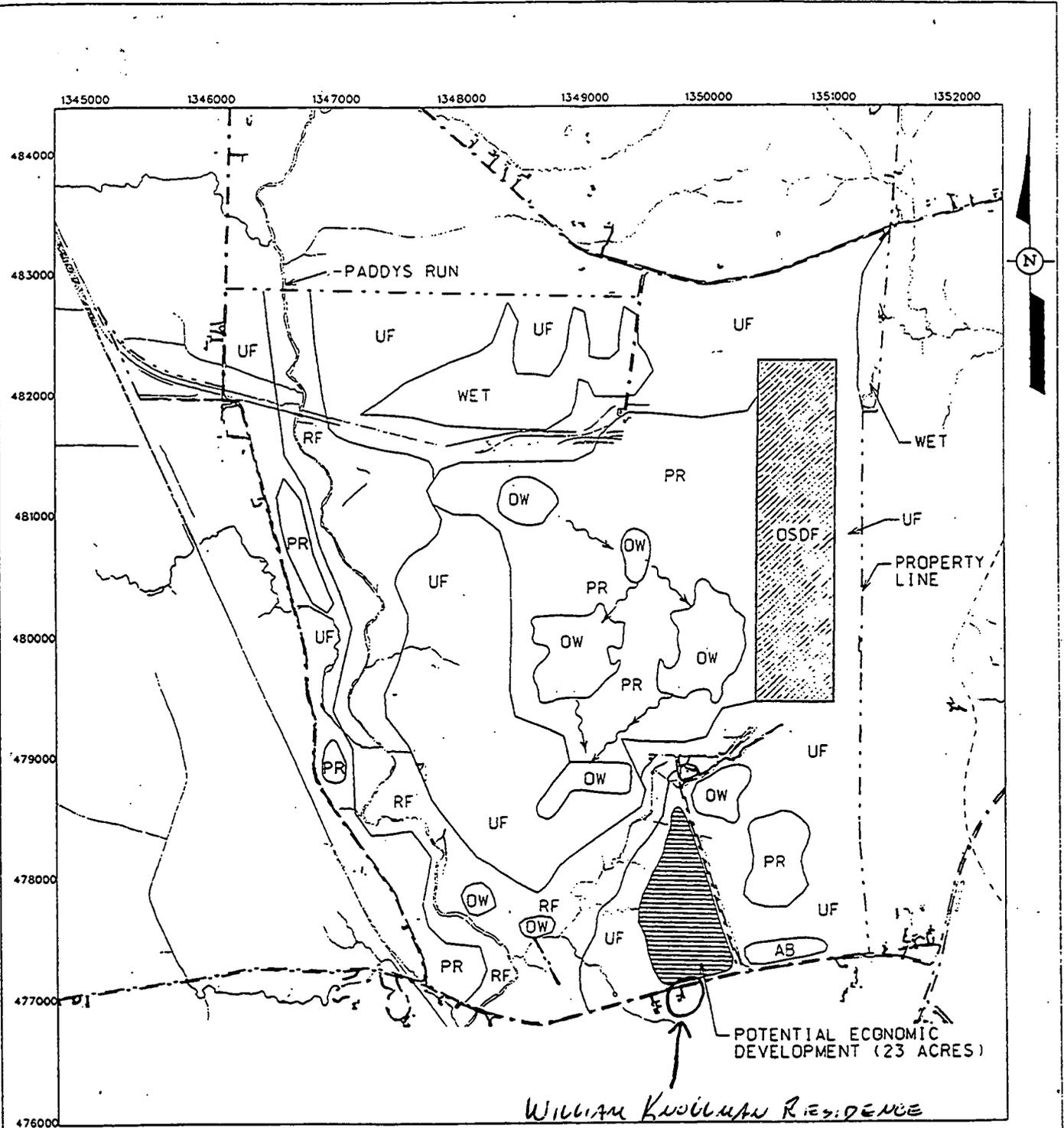
Thank you for your consideration of these matters that we are concerned about.

Sincerely,

William H. Knollman

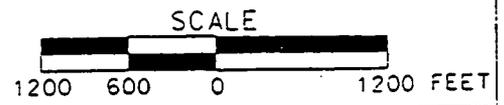
William H. Knollman

FILE NAME H:\RES\RES3256\SIGIE.DGN PER QUS 9/14/98 GES STATE PLANNING COORDINATE SYSTEM 1983



LEGEND:

- AB AESTHETIC BARRIER
- PR PRAIRIE
- UF UPLAND FOREST
- RF RIPARIAN FOREST
- OW OPEN WATER
- WET WETLAND
- ~ DRAINAGE PATTERN



000040

Figure 2 Conceptual Final Land-Use

**Fernald
Community
Reuse
Organization****FERNALD COMMUNITY REUSE ORGANIZATION'S
FINAL LAND USE, NRRP AND EA POLICY RECOMMENDATIONS**

It is the recommendation of the Fernald Community Reuse Organization (CRO) that a minimum of 23 acres on the FEMP site be set aside for future community facility and/or economic development purposes. It is unlikely the DOE would authorize any external user to have access to this tract until, at minimum, 2005.

It is difficult if not impossible to assess the potential demand for industrial usage of this land eight years into the future. However, based upon the CRO's market studies, there is extremely limited demand for industrial use at the FEMP location at present and for the next several years. Our studies indicate that it becomes increasingly difficult to accurately estimate demand the further into the future one attempts to assess levels of demand. Consequently, long term (post 2006) demand for industrial use at the 23 acre site should not be ruled out at this time.

A variety of community organizations have presented intriguing concepts that would establish various forms of education and/or tourism destinations at the site. Such uses could stimulate traffic to the tri-township area with a resulting positive impact on retail and commercial trade. In addition, use of the tract as a location for a joint fire services district building has been suggested. Such a facility would increase the potential of the surrounding region to absorb economic growth.

Although strong, convincing evidence has been presented to the CRO that suggests the need for all of these concepts, it is too soon to know precisely what specific community educational, recreational or facility uses would be most beneficial at such a distant point in the future (2006). Consequently, we feel the most appropriate path to take would be to establish the minimum 23 acres as a reserved location, not needed to meet natural resource restoration requirements now or in the future. When the clean up reaches a point closer to final closure, DOE is encouraged by the CRO to reconstitute some form of community-based advisory group. This group would once again look at alternative uses of the reserved 23 acre site to determine the most appropriate and beneficial specific uses on that tract.

The CRO emphasizes that it should be the responsibility of this community-based group to determine whether future industrial real estate market conditions change in a direction that suggests an adequate level of demand for industrial usage at the reserved site. This group would also look at competing needs for community facilities, either separately or in conjunction with industrial usage.

000041

FERNALD _____

107 M00074

Oct 19 9 08 AM '98

Edwa Yocum

October 16, 1998

[REDACTED]

Gary Stegner,
DOE Public Affairs Office
P.O. Box 538704
Cincinnati OH 45253-8704

Ref.: Comments on Natural Resource Restoration Plan

Thank you for this opportunity to comment.

I agree with the primary focus of the NRRP.

I am concern about the problems that might develop using depleted soils. DOE needs to make a commitment that will ensure that all on-property areas are ecological restored if the first natural resource restoration process is not successful

I would like to see a educational center on site devoted to educational and historical preservation purpose, could easily be integrated with ecological research/education and benefit FEMP's obligation to develop a groundwater education module could be permanently displayed at the FEMP.

Funding and maintaining the educational center needs to be addressed

Public involvement in the design and development of a educational center.

I support the reburial of Native American remains on site.

Thank you

Edwa Yocum

Edwa Yocum

000042

Gary Stegner
DOE Public Affairs Office
P.O. Box 538704
Cincinnati, Ohio 45253-8704

FERNALD
LOOM-00088
Oct 21 9 09 AM '98

FILE:

October 19, 1998

Re: PUBLIC COMMENT. ENVIRONMENTAL ASSESSMENT FOR PROPOSED FINAL LAND USE AT THE FERNALD ENVIRONMENTAL MANAGEMENT PROJECT (EA). AND THE NATURAL RESOURCE IMPACT ASSESSMENT (NRIA)/NATURAL RESOURCE RESTORATION PLAN (NRRP).

Dear Mr. Stegner:

Please consider this correspondence with attachments as part of the official agency record of proceedings in the above-referenced decision-making process.

Some comments and questions contained herein may be specifically detailed and/or answered in NRIA/NRRP. However, this document has not been available to me as of this date. Please excuse questions and comments which are limited by opportunity to review the EA only.

No specific information and/or details have been provided as to how "restoration" of the Fernald site would resolve the existing \$206 Million dollar lawsuit filed by the State of Ohio against DOE. (Ref.: FACT SHEET, Request for Input On Final Land Use of the Fernald Site.) Considering that this settlement may or would become the first such settlement at ANY DOE SITE (emphasis added), it would seem appropriate for detailed review and comment from the public/interested parties/stakeholders who could be directly or indirectly affected by the implications of any such precedent.

DOE states in EA that the agency intends to consider onsite restoration of the FEMP site to be appropriate in resolving the Natural Resource Claim resolution. (Ref.: EA, pg. 4-5.) DOE states the "alternate avenues for settlement" would be likely to require offsite activity for DOE compliance with natural resource restoration "obligations." DOE rejects this "alternative" as contrary to agency mission and not cost effective. Is DOE suggesting that a precedent be established at FEMP which relieves DOE of liability from release of hazardous substances from DOE facilities to the environment offsite of DOE facilities? DOE should not set any such precedent at the FEMP site or any other which essentially allows DOE to limit its liability to hazardous releases which stop/end at DOE property/facility boundaries. How does DOE propose to comply with letter and intent of Clean Air Act by such limitation in agency thinking?

EA states that the reburial of Native American remains "would also be integrated with restoration, as necessary." (EA, pg. 6.) Agency intention is somewhat unclear. Does DOE propose "reburial" as necessary to repatriate remains that have been disturbed/found onsite at FEMP only? Attachments I and II herein submitted-as evidence that

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repatriation of Native American remains have been factored into final land use at FEMP as part of DOE alternative for the FEMP site and could be used as a national precedent for other DOE sites.

DOE references entering into Programmatic Agreement (PA) with the Advisory Council on Historic Preservation and the OHPO to preserve the history of what has occurred at the FEMP site. The PA allows a "streamlined mechanism" for conducting and reporting the results of archaeological investigations. It would seem that part of the "streamlining" of the process allows for DOE FEMP contractor Flour Daniels to conduct its own cultural resource study. Does DOE intend to allow this "streamlining" to serve as a precedent for conducting and reporting archaeological investigations at other DOE sites state and nationwide? It is my understanding that DOE is required by federal law to consult with Native American Tribal Nations in matters concerning repatriation issues. Has this been done?

Furthermore, DOE through its contractor and archaeological investigator(s) appears to be proposing the Fernald Site be used for the repatriation of thousands of remains which were not found on the FEMP site. (Ref.: Attachments I and II.) How many and what federally recognized tribes have been consulted in the planning stages of DOE or others' proposals as detailed and quoted in Attachments I and II by Alliance spokesperson?

Attachment III herein submitted for appropriate agency consideration as "streamlining" the archaeological investigation process apparently is being implemented in dealing with human remains that could be repatriated at FEMP, as reported in Attachments I and II.

DOE is required to follow federal law in decisions and actions pertaining to National Historic Preservation Act and Native American Graves Repatriation Act. PA which pertains to the FEMP site only should not be used as precedent for significant DOE actions at the FEMP site, i.e., reburial of 3,500-4,000 remains from Ohio, or the conversion or other DOE sites nationwide for repatriation of Native American/Indigenous remains without considerable consultation with federally recognized tribes and nations and opportunities for public/interested party review and comment early in the decision-making process. Thank you for opportunity for comment in agency decision-making process.

Respectfully submitted.

Diana I. Canali
Diana I. Canali

(NOTE: Restoration of maiden name as of 1/98 by the Brown County Court of Common Pleas, formerly known as Diana Salisbury.)

Attachments

00004 Via tele copier transmission to (513) 648-307
at approx. 1:25 P.M. on 10/19/98 & via the
U.S. Postal Service. Return receipt requested
on 10/19/98. -2- Certified Mail, ✓

Indians suggest former uranium plant site become burial ground

Associated Press

CINCINNATI — The government should consider making part of a former uranium processing plant a burial ground for Indian remains, American Indian groups suggest.

Cleanup of the 1,050-acre Fernald site, where uranium once was processed for nuclear weapons production, is expected to continue at least through 2005. Future uses of the U.S. Department of Energy site are still up for debate.

If the government adopts the burial plan, the remains of as many as 3,500 American Indians could be brought from all over Ohio to the site 18 miles northwest of Cincinnati, Energy Department spokesman Gary Stegner said Monday. Those would include remains that are now boxed in museums and government warehouses.

"I think it's a very good chance this will happen. There's a lot of community support for this," Lisa Crawford, a Fernald neighbor and member of a community advisory council to the Energy Department, said Monday.

Indian remains found several years ago when workers were digging at Fernald to install Hamilton County water system pipes were interred on the site.

"I think this is something everybody likes. It's morally and ethically a good thing to do," said

Mrs. Crawford, president of Fernald Residents for Environmental Safety and Health.

An alliance of Indian tribes says the burial is appropriate for ancestors whose remains are now stored for study.

"We think that Fernald is the answer to all the federal and state problems" with Indian remains, said Oliver Collins, co-chair of the Native American Alliance and principal chief of the Taligee Cherokee Nation in Scioto County. "And not just Fernald, but federally owned places like this in every state in the country."

"In our culture ... if any part of the body, even the skeletal remains, is not returned to Mother Earth, then our soul is not at rest. We are interrupted in our journey to heaven," Collins said. "That is a universal belief in the Indian world."

Scientists want to keep prehistoric remains for archaeological and anthropological research.

"I understand both sides of the argument," said archaeologist Kevin Pape of Gray & Pape, a consulting firm working at Fernald. "I think that there is a need to understand our collective heritage (through science) ... But scientific study needs to be done with a care and sensitivity for the people whose remains we are studying, and for the current-day native Americans."

See SITE on page 2B

Site: Indians suggest plant could become burial ground

Continued from Page 1B

The Energy Department has spent recent years soliciting public suggestions for future uses of the Fernald site. Suggestions have included using it for recreation and light-commercial purposes, such as an office park.

Department officials plan a hearing Oct. 13 to gather more suggestions. The government may make a decision by the end

of this year, although there is no deadline, Stegner said.

Part of the site will permanently house some low-level radioactive wastes in eight storage cells. One of the cells is already being filled, and two others are being built. The most contaminated wastes are to be shipped to Nevada or Utah for permanent disposal.

000045

Indians propose Fernald plan

Tribal alliance wants plant site for burial ground

BY RACHEL MELCER
The Cincinnati Enquirer

CROSBY TOWNSHIP — An alliance of Indian tribes wants Fernald to become more than a cleaned-up relic of the Cold War.

They say that for thousands of their ancestors, the former uranium processing plant could be a gateway to heaven.

Under their plan for the former uranium processing la-

cility, nearly 4,000 sets of Indian remains boxed in Ohio museums and government warehouses would be interred on the site.

In addition to any federal protections, a new state law would make it a crime to disturb reburied bones. The Ohio General Assembly included them in the definition of a protected cemetery. The law went into effect Oct. 1.

Meanwhile, more remains are being discovered on the 1,050 fenced acres in north-west Hamilton County.

We think that Fernald is the answer to all the federal

and state problems" with Indian remains, said Oliver Collins, co-chair of the Native American Alliance and principal chief of the Taligee Cherokee Nation in Scioto County.

"And not just Fernald, but federally owned places like this in every state in the country... In our culture... if any part of the body, even the skeletal remains, is not returned to Mother Earth, then our soul is not at rest. We are interrupted in our journey to heaven. That is a universal belief in the Indian world."

That belief has not been supported by federal and state

laws. It is at odds with scientists who say prehistoric remains should be put under the microscope for archaeological and anthropological research.

"I understand both sides of the argument," said archaeologist Kevin Pape of Gray & Pape, a consulting firm working at Fernald. "I think that there is a need to understand our collective heritage (through science)... But scientific study needs to be done with a care and sensitivity for the people whose remains we are studying, and for the cur-

(Please see INDIANS, Page B5)

Indians: Use Fernald as burial ground

CONTINUED FROM PAGE B1

rent-day Native Americans. The National Prehistoric Preservation Act requires a physical survey of any area where federal dollars are being spent.

At Fernald, workers turn over a 2-foot section of earth every 50 feet in all areas that are going to be excavated or disturbed during the cleanup.

A larger, more detailed study is conducted anywhere bits of pottery, tools or other remnants are found.

Joe Schomaker, Fluor Daniel Fernald's cultural resources manager, is in charge of the project. He also acts a liaison between the Department of Energy and scientists and Indian groups and lends programs at local schools.

So far, Fernald crews have found 117 significant sites. All but two are considered prehistoric — they date back to before 1660, when people of European descent arrived in the area and began keeping a recorded history.

Discoveries include five bodies of people who lived in the Post Ancient period, from 1000 to 1660. Nearly 20 other partial burial sites were unearthed. Archaeologists also found bones of a longhorn buffalo that has been extinct since 8000 B.C.

Such discoveries excite scientists and pose a cultural and governmental problem.

Federal law protects remains that can be culturally identified and returned to a modern tribe for burial. The vast majority are unidentified — so they are turned over to a museum or government agency for study.

"We think it's a sacrifice," Mr. Collins said. "They want to collect them and study them so they can write self-serving books about our ancestors. I haven't ever seen a book that they've written that's going to help me."

Even if tribes were given control of unidentified remains, most cannot afford to ship them to reservations across the country or buy land on which to bury them.

"Our people are on shelves. Christian people are in the ground," said Barbara Chandell, a Cherokee descendant from Thornville. "We want them buried simply, with dignity and respect — as if you were burying your own grandparents."

Tribal representatives say Fernald could provide a permanent solution and a model for other federal land for more than 100,000 unidentified Indian remains stored nationwide.

"I want everybody in the country to come (to Fernald) someday and say, 'Look what happened here. This is a beautiful place. It's being used as a Native American cemetery.' It can be used to educate people," Mr. Collins said.

Speaking as an Indian, we wouldn't go down to other people's cemeteries and dig them up and put them in boxes. And now they're starting to understand that they shouldn't do that to us either. That's the way

The Cincinnati Enquirer
10/5/98 - B-1
Ottawa line # II

Environmental survey sparks suspicion in Higginsport

By Scott Lanter

The Village of Higginsport is about to embark on something that few towns in Brown County have experienced controversy-free.

Mayor Jack Palmer is pushing to design a sewage system that would keep the village moving forward with progress.

Mayor Palmer has been studying the issue, and has learned that Higginsport could become eligible for funding assistance for the project in October, 1999.

But, in order to become eligible, the village must prepare by conducting environmental and archeological surveys.

The surveys aren't cheap in cost. However, Mayor Palmer has found someone who is willing and qualified to conduct the environmental portion of the survey, at no cost.

The only expense to the village will be for postage, paper, etc.

Del Pullins, of Brown County Rural Water has volunteered his services with nothing expected in

return 9/21/98

Those thoughts were relayed to council by Palmer. But, the idea drew sharp criticism from council member Sandra Germann who said, "It's kind of suspicious that he would do that for free."

Palmer said, "If you want to shop around, I don't have a problem with that."

Germann asked why Pullins was willing to do the survey for free.

"Because he liked me," answered Palmer. "He's a good friend of mine."

According to Palmer, Del Pullins says that "he is qualified to do the job."

Councilman Jim Absten said, "We've got to keep moving if we want sewers."

If a surveyor were hired, Palmer said the cost could exceed \$4,000.

However, he said that if Pullins completed the work, the cost would range no more than \$600 for mate-

Continued on page 14



Fundraiser nets \$582 for H'port school

Jim Absten, left, presents a check to Woody Fowler to help restore the old Higginsport schoolhouse. Absten held a fundraiser at his club in which he grilled steaks and served dinners. "We served 128 dinners," said Absten, who turned over \$582 to Fowler, a former principal of the school, and head of a group who is working to restore the building for use by the community. Photo by Scott Lanter

2360

Attachment III
Page pr

Page 14 - Brown County Press - Monday, September 21, 1998

Environmental survey sparks suspicion in Higginsport

Continued from page one

The majority of council members were favorable to the idea and approved the measure.

BUSINESSWOMAN INQUIRES ABOUT CROSSWALKS

A woman who said she was a business owner, asked council about the possibility of crosswalks on U.S. 52.

She said that she was concerned about the safety of children, and also hoped that traffic would slow down.

Council believed that nothing could be done by the village unless the state approved it.

FEMA PAYS FOR WALL

A wall that was damaged during the 1997 flood in Higginsport will be repaired thanks to a \$2,520 check from the Federal Emergency Management Agency (FEMA).

A check has been received by the village to help pay for the wall owned by Flora Prather.

RESTROOMS TO BE REBUILT

Restrooms at the municipal building will be rebuilt. Currently, the restrooms are in deplorable condition.

Council asked fellow member Andy Ulrich to get someone to give an estimate on the project.

JOB OPPORTUNITY

If you're seeking employment, has council got a deal for you?

The body is currently looking for a village administrator since the resignation last month of Jim Absten.

So far, no one has stepped forward to accept the position.

Councilman Jim Absten has asked three or four times at a meeting, and no one has stepped forward.

If you are interested in the position, contact the municipal clerk.

ARMY PRIVATE ARRIVES AT TRAINING STATION

Army Pvt. Nathaniel Asbury has arrived at the Infantry School, Fort Benning, Georgia to begin his training at the Station Unit Training Station. Training combines basic training and advanced training (AIT).

During AIT, the private will receive instruction in light-weapons infantry, indirect-fire crewman rifle or mortar squad.

Instruction will include qualifications, tactical field communications, operations and survival, nuclear, biological and chemical attack.

Asbury is the son of Asbury of Williamstown, Stevens of Phoenix, Georgia.

He is a 1998 graduate of Brown High School.

000047

Post-it® Fax Note 7671		Date 10/15/98	# of pages 2
To GARY Stegner		From Tom Schneider	
Co./Dept. DOE		Co. OEPA	
Phone #		Phone # 937 285 6466	
Fax #		Fax #	

Gary Stegner
USDOE Fernald

Gary,
The following comments on the EA/NRRP were left on my voice mail by an anonymous caller. Please include them in the public comments.
Thanks.

Tom Schneider
Ohio EPA
Office of Federal Facilities Oversight

8:35 a.m. on 10/16/98

15

"I just wanted to suggest that the last 1500 feet of Paddy's Run, right before it runs into the Great Miami River, that you add 50 foot of easement on each side in case there would be any residual contamination or also a main reason would be for wildlife and because of possible development shoving against that stream that they ruin the end of it." "And, because I think it should be protected at least down at the very end." "I understand there are some houses way up above there on the hill, but I am talking about the last 1500 feet; if you would add a 50 foot easement there would be trees there and it would go into the Great Miami River and it would be a very nice little buffer."

2:11 p.m. on 10/18/98

16

"I'd rather see a trumpeter swan, a golden eagle, or Indiana bat out there at Fernald rather than I would a CRO." "And as far as seed money, I think they should go to Blue Ash and use computers and find them jobs there, if they need jobs, and there are places all over there." "Hamilton is building up crazily and so is Cincinnati and I think they should try to save those farms between Fernald and Brookville and you will have a lot of wildlife plus carbon sink as the rivers during drought periods they still produce trees that have green leaves and clean our air and bike trails like the American Discovery Trail could go out there." "And you would make a 'Y'." "You could have it cross the bridge out there to the west side of the Great Miami and go up to Hamilton and Middletown and Dayton and you could make the other part of the 'Y' go out to Houston Woods on the CSX line for recreation." "And the more green space you save along the rivers the better the air will be." "Cincinnati doesn't have good air." "Thank you."

236017

7420 Harrison Avenue
Cincinnati, Ohio 45231

Bittner Construction, Inc.
• General Contractors •

(513) 521-7665
(513) 522-1030
FAX (513) 521-7665

FAX TRANSMITTAL COVER LETTER

TO: Mr. Gary Stegner
COMPANY: DOE
FAX#: 648-3073
DATE: Oct 20 1998

FROM: Todd Bittner
COMPANY: Isaac Walton
FAX#: 513-521-7665
TELEPHONE #: 513-521-7665

TOTAL PAGES BEING TRANSMITTED INCLUDING THIS ONE: 2

ADDITIONAL COMMENTS:

Sorry to be late, I thought
Th. had been faxed last week

000049



Mt. Healthy Chapter

The Isaac Walton League of America
INCORPORATED

DEDICATED TO THE WISE USE OF ALL NATURAL RESOURCES

PRESIDENT

TODD BITTNER
7420 Harrison Avenue
Cincinnati, Ohio 45231
521-7665

VICE PRESIDENT

DALE CRAMER
2897 Winton Drive
Cincinnati, Ohio 45231

2nd VICE PRESIDENT

HARRY DRANK
4501 Mower Lane
Cincinnati, Ohio 45232

SECRETARY

VICTOR SMITH
635 Eaton Avenue
Hamilton, Ohio 45011
866-6756

TREASURER

MICHAEL HUNLEY
8255 Lakeside Drive
Cincinnati, Ohio 45237
385-4711

MEMBERSHIP SECY.

JUSTIN ZAFFRO
10442 Zosala Drive
Cincinnati, Ohio 45251

**Department of Energy
Ohio Field Office
Fernald Area Office**

Oct. 13, 1998

RE: Recommendations for proposed final land use at Fernald.

After reviewing the proposal that Fernald land would become various types of wildlife habitat (prairie, wetlands ect). We give total support for this plan with the following recommendations.

- 1). That no land be used for economic development.
- 2). That the land should not be used for a grave yard, or at best less than 10 acres be used for this purpose.
- 3). Lease the property to the Ohio Division of wildlife, (for about \$1.00 per year). That the property could be used for a State Wildlife area to allow camping, fishing, hunting, ect. Some of the \$206 million be used to purchase additional land around Fernald and hopefully include shore line of the Great Miami River.

Thank you for your consideration.

**Todd Bittner
President Mt. Healthy I.W.L.A.**

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October 14, 1998

Mr. G. Stegner
DOE-Fernald Public Affairs Director
P.O.Box 538705
Cincinnati, Ohio 45253-8705

Attention: Mr. Gary Stegner

FILED
OCT 19 9 09 AM '98
FERNALD
M-00073

Dear Mr. Stegner,

Subject: Final Land Use Public Hearing

Thank you for the invitation and notice to attend the Final Land Public Hearing at Fernald on October 13, 1998

We have read the NFIA and NRSP dated July 1998 with Revision 1 dated September 1998, and have the following comments, questions and suggestions:

1. *Scope (ref. Introduction)*. We anticipate that post closure maintenance and monitoring will have an impact upon final land use. Specific examples of this are:
 - Maintenance and Monitoring of the OSDF. This could include, for example; maintenance of fencing and access roads; maintenance of the surface vegetative layer to prevent the growth of deep rooted tree species which could penetrate the seal barriers; and inspection, monitoring and maintenance of the leachate collection system.
 - Maintenance and Monitoring of the Aquifer Restoration Facilities.

We note that it is the intent to retain Federal ownership. Would it not be opportune to review the post closure requirements for maintenance and monitoring at this stage and to plan for the construction and operation of the required facilities at this stage. This might include the provision of electrical power and other selected utilities such as potable water to specific locations, and possibly the provision of road and facilities maintenance storage and workshops, and monitoring laboratories. Such facilities could well be incorporated into the proposed commercial development area.

2. *Scope (ref. Introduction)* - Facilities and Provision for Secondary Wastes which will arise Post Closure from Monitoring and Maintenance operations. We anticipate the long-term generation of secondary wastes from the maintenance and operation of the OSDF and the Aquifer Restoration Facilities. We suggest that the provision for these long term requirements be reviewed at this stage to ensure that an appropriate provision is incorporated into the Final Closure Plan.

000051

3. Scope (*ref. Introduction*) – Optimized incorporation of existing roads and rail routes into the Final Land Use Plan. Have the benefits of retention of some of these existing facilities been considered, and cost/benefit analyzed in the context of the post closure uses under discussion, and the requirements for post closure monitoring and maintenance?

4. SERA – We note that the SERA correctly evaluated the radiological and non-radiological risk to the ecosystem exclusive of humans and domestic animals. Has any evaluation been made of the long term accumulation of radionuclides in the plant and animal species that will inhabit the facility after closure. The results of the SERA imply that in the most sensitive ecoreceptor the total dose accumulated will be at least one order below the IAEA 1992 Target Level limits. Nevertheless there are recorded large concentration factors for radionuclides in a wide range of plant and animal species. This could lead to restrictions on the maintenance and recreational use of the site in order to protect human and domestic animal health. Has this aspect been considered?

5. Monitoring – Will the post closure monitoring plan incorporate radionuclide contamination in surface and ground water, and in representative plant and animal species which will inhabit the closed facility?

6. Limitations of Post-Closure Options - There were a number of ambitious proposals made at the public meeting for use after closure. To avoid conflict, and to optimize planning, it would be desirable for a decision to be made as soon as practicable of the uses which will be progressed and to define limitations on the areas and locations for the selected uses. Presumably the retention of Federal ownership will simplify the process. Can this process now be defined?

We are impressed with the work completed to date to report investigations of the impacts on Natural Resource of Closure, and trust that our comments and questions will constructively contribute natural resource health in the post closure period.

Sincerely,



Ray Holmes
Technical Director
BHE Environmental, Inc.

000052
000000

Author: Cheri Smyser at FNUN-01
Date: 10/19/98 1:19 PM
Priority: Normal
TO: Gary Stegner at FNST-06
Subject: Future site land use

2360

Mr. Stegner:

I would like to cast my vote for complete ecological restoration of the Fernald Environmental Management Project and an additional effort to connect the (restored) FEMP to the Great Miami River corridor. This would entail habitat restoration much as the Natural Resource Restoration Plan suggests, with wetlands, riparian corridor, mixed-grass prairie, old field (allowed to succeed to forest), and mature, late-successional stage forested areas.

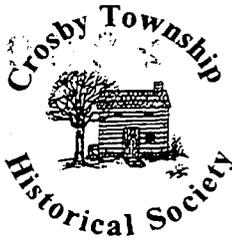
I am not in favor of allowing any part of the site to fall to industrial use because it would promote further development of the unusually rich farmland within the Great Miami River floodplain. (As you may know, farmland in Hamilton and Butler Counties is being converted to residential and industrial land use at a high rate.)

Even in rural areas, waterways provide shelter and travelways, known as wildlife corridors, for animal species. Thus, preserving the diverse and abundant riparian corridor along Paddys Run on- and off-property will protect and conserve both flora and fauna in the region. It would be especially helpful to provide a protective buffer comprised of forest along Paddys Run from the southern FEMP border to the Great Miami River.

Educational and recreational opportunities would abound at the ecologically-restored FEMP, such as those included in the Operable Unit 5 Baseline Risk Assessment undeveloped park scenario. I envision interpretive boardwalk trails among wetland areas such as those at Cedar Bog near Springfield, Ohio, perhaps including a bike trail around the property's perimeter with etchings on placards from old photographs of the main features (Production Area, K-65 Silos, Waste Pit Area) during production years at various viewing areas. Given the success of the Miami Whitewater loop, this could draw visitors to both parks for an extended bike ride or walk. The bluebird program could continue which would probably involve former Fernald employees. The restored site could also function as a demonstration program for the various restoration techniques that have already been used such as streambank stabilization, wetland creation, and prairie establishment.

Thanks for listening,
Cheri Smyser

000053



11716 Oxford Road, Harrison, Ohio 45030 (513)738-8764

July 27, 1998

Kurt Paddock
Paddock Management Services
5725 Dragon Way, Suite 219
Cincinnati, OH 45227

Dear Mr. Paddock:

The Crosby Township Historical Society, founded in 1996, has grown to a membership of sixty-five persons. We differ in ages, occupations, educational backgrounds, political viewpoints, and economic status, but in purpose we agree to promote an interest in the history of our township, to preserve that history and make it available for others to study and appreciate. In 2003, we will sponsor the celebration of our township's Bicentennial.

After a century-and-a-half of peaceful, agrarian existence, this township experienced the intrusion of a major element of change— the Feed Materials Production Center, generally called "Fernald." Through a sequence of actions— tactics used by the Atomic Energy Commission to acquire farm land, adverse rumors about its purposes, and public exposure to contamination— Fernald became a stigma for this community. We believe that the Remediation Era should help erase that stigma by providing a new image of a clean, natural environment, but should also include a plan to construct an educational facility to teach everyone the truth about the Cold War and the part Fernald and its workers and neighbors played.

The Community Reuse Organization (CRO) regularly meets to discuss potential future uses of the "clean" portion of the Fernald site. Representatives from the neighboring townships and communities in Butler County, as well as Crosby Township, serve on this committee, but to our knowledge, no one has considered that the Crosby Township Historical Society should express an opinion. What WE do now may effect the *history* of Crosby Township that will be studied for centuries in the future. We must not sit mute while others direct the future use of the site to some insignificant everyday purpose, such as economic development.

Some discussions between the Department of Energy and the Ohio Environmental Protection Agency have suggested that "green space" must be included. The Native American Alliance of Ohio has proposed to the Native American Graves Protection and Repatriation Act Committee (NAGPRA) in Washington, D.C., to be allowed to re-inter the culturally-unidentified remains of prehistoric Indians of Ohio on the Fernald site. This would be consistent with part of the area becoming a park, with trails and appropriate monuments to their departed ones.

We would like to propose a future use of the site from this perspective:

We invite you to imagine the Fernald site, developed into a mixed forest and prairie grassland, all native to Ohio. Among the trees near the western boundary, spring wildflowers bloom. In the summer the grasses are a lush green background to beautiful, brightly-colored native prairie wildflowers. It looks like it did before our ancestors arrived to settle in the area. In addition to the several white-tailed deer that chose to live here, several American bison and elk have been introduced to graze freely on the grasses and among the trees, just as these species did here several hundred years ago. Besides the natural source of water provided by meandering Paddy's Run, a marsh-pond was created in the open to provide water for the grazing animals and a stopping point for water-birds, ducks and herons.

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Located a short distance north of the present South Access Drive, and visible from Rt. 128, is a magnificent Visitor's Center. The curved north face is a window-wall, providing unlimited vistas of the restored natural landscape and the wildlife. Inside this multi-storied building is a museum comprised of three major themes: Native American pre-history, European-American settlement, and the Nuclear Age.

Along a timeline of regional history beginning at the end of the last Ice Age, march the cultures of early humans who first made their camps or homes here, followed by successively more culturally advanced groups of Native Americans, to the time of first European explorers and traders. Events and history of the European-Americans who settled here 200 years ago blend into the lives of their descendants, keys to the birth and development of the Township. The final half-century tells of the Cold War and Fernald, and the close of that era and the remediation of the facility. The displays range from a wealth of cultural artifacts, through a background education in nuclear science, energy, and weaponry, to exhibits of manufacturing and processing equipment from the facility and exhibits documenting the remediation. There are lessons taught about how we have interacted with our environment, and how we can detect and correct our mistakes.

There is a large auditorium for public audio-visual programs, classrooms for presentations to separate groups, a food service facility, a shop selling books and other souvenirs, and a library including, perhaps, the collection of the Public Environmental Information Center (PEIC) and other reference materials related to the museum's subject material for public reading and research. A portion of the library is a "sound laboratory" containing numerous separate sound-containment booths with speakers where touch-screen computers with CD-ROM make available the video and audio of the Fernald Living History Project interviews. Other rooms in the building include staff offices, lounge space for employees and volunteers, exhibit preparation and storage rooms, and restrooms. The whole building is designed to provide ready access to school class tours as well as individuals and families of the visiting public.

This is a place unlike any other in the Midwest where a natural park with native wildlife surrounds a major interpretive center. We pause to point out that the profile of the north face of the building, a smooth arc from west to east, is symbolic of the rainbow, a sign of peace at the end of the storm. Thus with Fernald, the Cold War is over and peace reigns.

Near the Access Drive is an open exhibit of historic archaeology, the home site of the Willey family, the area's early residents. Interpretive signs illustrate archaeological techniques, while identifying the artifacts of historic occupation. Trails lead from the museum to this site, and to the west where the Native American reburials have been established. From the museum exhibits, you learn much about the cultures that have lived here, then walk the trails to see the home site, and monuments erected to their predecessors by modern Native Americans. Thus this park and museum is a total adventure in American history in Southwest Ohio, providing school children and adults a truly unique educational experience. We will attract tens of thousands a year; we will be on the national map of must-see museums and tourist sites.

FERNALD CAN RISE TO A NEW AND BETTER REPUTATION!

(The foregoing proposal is supported by members of the Crosby Township Historical Society, but may not be a unanimous expression.)

Sincerely, 
James R. Innis, Jr.
Crosby Township Historical Society

[Copy made by J. Innis on 8/4/98 for Gary Stegner, U. S. Dept. of Energy, Fernald Environmental Management Project, P. O. Box 53870, Cincinnati, OH 45253-8705]

000055

Author: Chris R. Taylor at FEFE-27-ERAFS1-A
Date: 10/19/98 11:06 AM
Priority: Normal
TO: Gary Stegner at FNST-06
Subject: Fernald Land Use

Gary,

As a Fernald stakeholder AND a taxpayer, I feel compelled to submit my "vote" on the issue of future land use.

Please give consideration to the idea of doing as little as required by Safety and Legal concerns. There has been too much inefficiency and waste already, and the thought of spending more time and money turning Fernald into a golf course or something turns my stomach. Let's make sure the air and groundwater cannot be further contaminated, and then let's put "Keep Out" signs on the fence on our way out!

Thank you for the opportunity to submit my comments.

Chris Taylor

000056

2360

Verkamp
7763 Willey Road
Harrison, Ohio 45030
(513) 738-8020

FACSIMILE TRANSMISSION FORM

TO: Gary Stegner
DOE Public Affairs Office
FAX 1-513-648-3073

SUBJECT: Comments on the Environmental Assessment for Proposed Land Use.

THE INFORMATION CONTAINED HEREIN MAY BE CONFIDENTIAL AND IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHOM IT IS ADDRESSED. IF YOU ARE NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY USE, DISTRIBUTION OR COPYING OF THIS INFORMATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS FACSIMILE BY MISTAKE, PLEASE NOTIFY ME AT THE ABOVE TELEPHONE NUMBER AS SOON AS POSSIBLE.

Date: October 17, 1998

Number of Pages including cover: 2

000057

**MAJARS WINDMASTER FARMS**

7763 WILLEY ROAD
HARRISON, OHIO 45030
513-738-8020

October 17, 1998

Gary Stegner
DOE Public Affairs Office
P.O. Box 538704
Cincinnati, Ohio 45253-8704

Dear Mr. Stegner:

As stakeholders, we are in general agreement with the Proposed Action for Final Land Use at the FEMP outlined in DOE/EA-1273. We would like to add the following comments.

We are supportive of the views expressed at the Public Hearing on October 13, 1998 for the restoration of the land and its natural resources, the reburial of Native American remains, a Museum/Educational Facility, and limited low-impact recreational use such as hiking trails. We are uncertain of the efficacy of setting aside 23 acres for future commercial development.

The natural restoration projects should consider the abundance of existing natural wildlife in the area that needs to be preserved, protected and enhanced. There is a regular flyway from the Great Miami River to Whitewater Forest encompassing the many farm lakes along the route. The regional population includes wood ducks, mallard ducks, geese, blue heron and the like, many of which are localized and are not migrating. There is also natural ingress/egress of the local deer population from the Fernald Site, through the nearby farm lands, and into Whitewater Forest. The deer use Paddy's Run Creek to transverse Paddy's Run Road and Willey Road, then follow branches of the creek winding along our property and other properties to gain access into Whitewater Forest. The wild turkey uses the same routes. Efforts should be made to preserve these natural pathways.

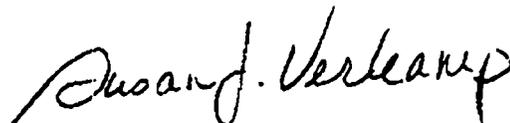
Being conscious of the importance of wildlife habitats, we have tried to do our part, albeit a small part, by reintroducing prairie grasses on our farm three years ago. We have planted Brome, Side Oats Grama, Little Blue Stem, Cave-in-Rock Switchgrass and small plots of clover yielding some small success with this endeavor. Therefore, we are very interested in the proposed tallgrass prairie and its design and look forward to further input.

We have the opportunity and responsibility to be stewards of the land for the future of generations to come. We encourage and support careful planning to ensure this legacy.

Yours truly,



Charles R. Verkamp Jr.



Susan J. Verkamp

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FERNALD _____

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FILE: _____

LIBRARY: _____



September 16, 1998

Mr. Gary Stegner
Public Information Director
U.S. Department of Energy
P. O. Box 538705
Cincinnati, Ohio 45253-8705

Dear Mr. Stegner:

SUBJECT: PUBLIC INVOLVEMENT TO PROVIDE INPUT TO D.O.E.
ON POTENTIAL FINAL LAND USE FOR THE FERNALD SITE

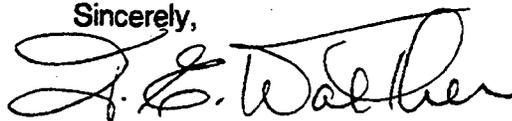
The Fernald Site consists of approximately 1,013 acres. On-site disposal facility will take up 115 acres leaving approximately 898 acres for the preferred natural resource restoration.

Under no circumstances should any part of the site be used for economic development.

Please include above in public comments to D.O.E. on potential final land use options for the Fernald Site.

Thank you for your help.

Sincerely,



J. E. Walthers

doe9/98

000059

September 21, 1998

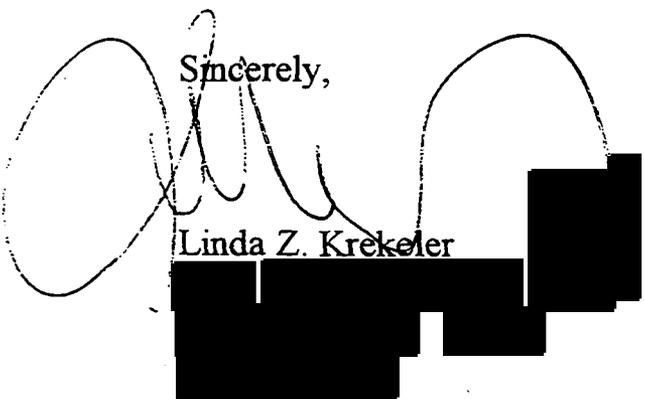
Mr. Gary Stenger
Public Information Director
U. S. Dept. of Energy
P. O. Box 538705
Cincinnati, Ohio 45253-8705

Dear Mr. Stenger:

I would like to express my approval and gratitude of the DOE preferred alternative for final land use at Fernald, utilizing the majority of the grounds for natural resource restoration. In our world today, with so much farmland and forestation being destroyed for the purpose of development, this is a welcome blessing from the DOE. I applaud your decision and hope that you are successful in its implementation.

Thank you for your concern of wetlands, forests, and wildlife. Also, the reburial of the Native American remains on the site would be positive. I believe that this alternative for the site will be appreciated by the community, not only in the present, but for years to come.

Sincerely,


Linda Z. Krekeler


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FERNALD _____

2360

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Oct 5 10 41 AM '98

FILE: 3401.6

Edwa Yocum

October 2, 1998



Gary Stegner,
DOE Public Affairs Office
P.O. Box 538704
Cincinnati OH 45253-8704

Ref.: Comments on EA- Final Land Use

The proposed action is acceptable with an Educational facility that will intergrate with restoration activities (described below) and benefit the Fernald site due to its eligibility to the National Register of Historic Place, also addresses Environmental Justice issues.

As a resident of the Fernald community I am requesting that DOE look into the potential use of the 23 acres or other location on site available for development be for a Museum/Library. This Facility should contain the Historical Records of the Fernald Facility and the surrounding communities, (e.g. Native American History and settler from the time of the remains found to present, impact on the community, Environment, Habitat, Eco-system). The records could be written, video, pictorial and life like displays.

Public involvement in the design and development of the Museum/Library/Educational center.

Thank you for the opportunity to comment and be a part of the decision making process.

Sincerely

Edwa Yocum
Edwa Yocum

000061

BOB NEY

18TH DISTRICT, OHIO

1024 LONGWORTH H.O.B.

WASHINGTON, DC 20515

(202) 225-6265

(202) 225-3394 FAX

E-MAIL: bobney@hr.house.gov



Congress of the United States
House of Representatives
Washington, DC 20515-3518

COMMITTEES:
BANKING AND FINANCIAL
SERVICES

TRANSPORTATION AND
INFRASTRUCTURE

HOUSE OVERSIGHT

DEPUTY WHIP

26

April 22, 1998

Mr. Jack Craig
Director of Fernald Plant
United States Department of Energy
P.O. Box 538705
Cincinnati, OH 45253-8705

5401.2
L-01332

Dear Mr. Craig:

I would like to take this opportunity to express my thoughts on the proposal for the green space area of the former Fernald Nuclear Weapons Plant in Harrison, Ohio. The proposal that I support was made by Barbara Crandell on behalf of the Native American Alliance of Ohio. I wholeheartedly support this meaningful concept of developing the green space area of the nuclear power plant into a North American Indian Memorial Park. The land would accommodate the thousands of unidentifiable remains in an honorable fashion by giving them a final resting place. This asset would be an excellent way to preserve Native American culture, while educating Ohio citizens about local history.

I appreciate you taking your time to review this matter. I hope this situation can be resolved favorably and the land can be put to a worthwhile use. If I can be of assistance to you in the future, please do not hesitate to contact me.

Sincerely,

Bob Ney
Member of Congress

RWN/dmk

000062

DISTRICT OFFICES:

3201 BELMONT STREET
ROOM 604
BELLAIRE, OH 43906
(614) 676-1960
(614) 676-1983 FAX

401 MARKET STREET
SUITE 719
STEUDEVILLE, OH 43952
(614) 283-3716
(614) 283-1915 FAX

HILTON-FAIRFIELD BUILDING
152 2ND STREET, NE, #200
NEW PHILADELPHIA, OH 44663
(330) 364-6380
(330) 364-7675 FAX

MASONIC TEMPLE BUILDING
38 NORTH 4TH STREET
ROOM 502
ZANESVILLE, OH 43701
(614) 452-7023
(614) 452-7191 FAX

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(614) 659-2500 - Home
(614) 466-2500 - Statehouse
(614) 644-9494 - Fax
rep78@mail.house.state.oh.us

FERNALD
L-11628
JUN 9 11 AM '98
FILE
Ohio House of Representatives



2360 27

COMMITTEES:
Agriculture/
Natural Resources
Insurance
Financial Institutions
Economic Development/
Small Business

LARRY HOUSEHOLDER
STATE REPRESENTATIVE
78TH HOUSE DISTRICT

June 9, 1998

Mr. Jack Craig
Director of Fernald Plant
U.S. Department of Energy
PO Box 538705
Cincinnati, OH 45253-8705

Dear Mr. Craig:

I would like to express my support for the Native American Alliance's proposal for the green space at the Fernald Nuclear Weapons Plant.

I believe this would be an ideal space to serve as a final resting for the thousands of Native American remains which are currently scattered among the archives of universities, museums, and the Ohio Historical Society. Not only would this burial site give due honor to our native ancestors, but a North American Indian Memorial Park established at the site would also serve to preserve and educate others about the unique cultural heritage of Native Americans in Ohio.

Thank you for taking the time to give consideration to the Native American Alliance's proposal. I believe this is a positive, beneficial project for all parties involved. Please contact me if I can be of further assistance in this or any other matter.

Sincerely,

A handwritten signature in black ink that reads "Larry Householder".

Larry Householder
State Representative
78th House District

LH/dh

000063

October 1, 1998

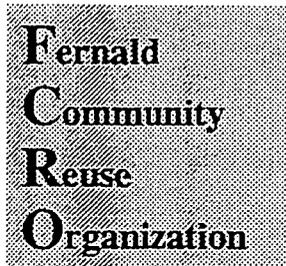
Dear Sir,

I feel the 23 acres for potential economic development should ,in part, be used for a museume. A living history type of floor mat, with the facts about the Fernald Site placed in a computer library center for future information.

I also believe the Native American reburial section should be secured for possible future internment areas provided.

The wetlands, prairies, forests, and open water also get my approval.

Thank you,
Carol Schroer
Carol Schroer



REPORT OF THE LAND REUSE, MATERIALS & EQUIPMENT COMMITTEE
October 6, 1998

At the meeting of the Land Reuse, Materials & Equipment Committee on September 21, 1998, the reports of the consultants examining the market potential of the 23 acre tract were reviewed and discussed. This discussion was focused on the implications of the consultants' findings for developing an overall CRO final land use policy statement which will be delivered to DOE at their final land use hearings on October 13, 1998.

In summary, the consultants concluded that there is an extremely limited potential for commercial or industrial development on the 23 acre site in the foreseeable future. The reasons for this conclusion are the relatively remote location of the site, as well as the environmental stigma associated with Fernald. Consequently, it was the conclusion of the Committee that the CRO's final land use recommendations to DOE should indicate that current industrial development potential at the FEMP location is extremely limited, but that meaningful, long term (post 2006) demand cannot be ruled out.

The Committee went on to discuss a number of other options that have been forwarded by community organizations, including the concepts of

- 1) a museum/education facility focusing on the Fernald site's history within the context of the Cold War;
- 2) building of a facility that would contain equipment and offices for a joint fire district;
- 3) recreational facilities, possibly including a location for radio controlled model airplanes; and
- 4) other appropriate recreational and educational uses.

000065

These four concepts have not been studied in depth by the Committee. However, it does appear that there is a significant level of community interest in each and all of

these concepts. Therefore, it would be the recommendation of the Committee that the full CRO present a policy recommendation to DOE at the October 13, 1998 meeting which would take the following form:

DRAFT

**FERNALD COMMUNITY REUSE ORGANIZATION'S
FINAL LAND USE, NRRP AND EA POLICY RECOMMENDATIONS**

It is the recommendation of the Fernald Community Reuse Organization (CRO) that a minimum of 23 acres on the FEMP site be set aside for future community facility and/or economic development purposes. It is unlikely the DOE would authorize any external user to have access to this tract until, at minimum, 2005.

It is difficult if not impossible to assess the potential demand for industrial usage of this land eight years into the future. However, based upon the CRO's market studies, there is extremely limited demand for industrial use at the FEMP location at present and for the next several years. Our studies indicate that it becomes increasingly difficult to accurately estimate demand the further into the future one attempts to assess levels of demand. Consequently, long term (post 2006) demand for industrial use at the 23 acre site should not be ruled out at this time.

A variety of community organizations have presented intriguing concepts that would establish various forms of education and/or tourism destinations at the site. Such uses could stimulate traffic to the tri-township area with a resulting positive impact on retail and commercial trade. In addition, use of the tract as a location for a joint fire services district building has been suggested. Such a facility would increase the potential of the surrounding region to absorb economic growth.

Although strong, convincing evidence has been presented to the CRO that suggests the need for all of these concepts, it is too soon to know precisely what specific community educational, recreational or facility uses would be most beneficial at such a distant point in the future (2006). Consequently, we feel the most appropriate path to take would be to establish the minimum 23 acres as a reserved location, not needed to meet natural resource restoration requirements now or in the future. When the clean up reaches a point closer to final closure, DOE is encouraged by the CRO to reconstitute some form of community-based advisory group. This group would once again look at alternative uses of the reserved 23 acre site to determine the most appropriate and beneficial specific uses on that tract.

The CRO emphasizes that it should be the responsibility of this community-based group to determine whether future industrial real estate market conditions change in a direction that suggests an adequate level of demand for industrial usage at the reserved site. This group would also look at competing needs for community facilities, either separately or in conjunction with industrial usage.

The Committee suggests that this basic policy statement be adopted as a motion by the full CRO and serve as the basis for a presentation by a CRO representative at DOE's October 13, 1998 hearing.

OCT. 20, 1998

RE: DOE. FEMP - EA FOR
PROPOSED FINAL LAND USE AT F

MR. GARY STECNER
U.S. DEPT OF ENERGY,
P.O. BOX 538705
CINCINNATI, OH 45253-8705

DEAR MR STECNER:

In response to the DOE's Sept. document "Environmental Assessment for Proposed Final Land Use at FEMP", the following paragraphs provide my comments on this document.

Without being redundant, it is much easier to simply say I support the Ohio EPA's comment letter of Oct 14, 1998, which nicely expresses my own sentiments relative to the "Proposed Final Land Use".

I would like to emphasize that I especially concur the Ohio EPA's comment on the 123 acres. There appears to little interest in Industrial or Commercial development of said acreage. However, there does appear to be a great deal of interest in the idea of a museum/educational

facility which I also support as being a viable and good idea. This idea nicely ties in with those ideas supported by the Fernald History Project as well.

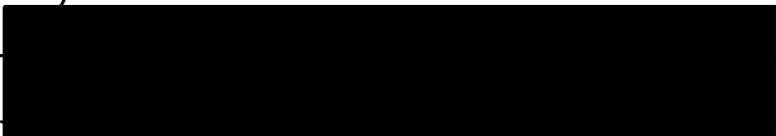
Another area of interest I support and believe is extremely noteworthy, is that of a section of the 23 acres to be designated for a memorial dedicated to the "cold war" veterans that worked at this site. This idea was fielded by Bob Kiepert who would probably have further detailed thoughts on the matter. I believe he also responded to the comment process on this matter and I fully support his idea. The memorial might also recognize not only the cold war veterans of this site, but might acknowledge the people who occupied the land prior to the site being build; the farmers, as well as, the Native American, etc.

In closing, the only other comment I have is relative to the specific language on the 23 acres in the proposed and preferred

alternative I believe the language needs to be modified to reflect simply setting aside the 23 acres for your community input at a later date as one of the best recommendations might develop.

Thank you for the opportunity to comment.

Appreciatively,
Robert G. Tabor
ROBERT G. TABOR



REF. SUPPORT DOC'S ATTACHED

Author: Robert Kispert at FNST-02
Date: 10/20/98 11:31 AM
Priority: Normal
TO: Gary Stegner at FNST-06
BCC: Robert Tabor at FNST-04
Subject: Living History Project

2360 31

Gary:

It has come to my attention that today is the final day for public comments on ideas for land reuse upon completion of remedial actions at Fernald.

One idea that I have expressed to Bob Tabor (and others) is to have a memorial to the thousands of women and men who worked at the site over some forty years of its existence. Our collective efforts contributed significantly to our nation's nuclear defense capabilities, which were instrumental in ending the cold war. Fernald never missed a delivery schedule that impacted operations at DOE's reactor sites.

Also, the memorial needs to recognize the important role that today's workers are performing in the environmental restoration of the site. Fernald was the pioneer in working with the federal and state regulatory agencies and involving the community in the remedial selection and implementation process. Much has been accomplished through this partnership approach during the past decade. The proof is in today's radically changing landscape at Fernald. It would be fitting that any memorial recognize the contributions made by so many.

Consideration should be given toward building the memorial in two phases for budget reasons. The first phase would be to construct a simple plaza having appropriate worker, community, and government recognition plaques that commemorate the near-50 years of Fernald's existence. The pre-conditions that existed before 1950, and the pot-remediation vision should be part of the memorial. The plaza would include a courtyard constructed of bricks having the name of any individual who wants to purchase one at a nominal cost. Any revenue derived from the sale of name bricks would offset the costs of purchasing and installing plaques, the Living History video, or other expenses. The second phase would construct a permanent "Fernald Living History Museum". The memorial should be built at the site entrance near Willey Road.

These thoughts are offered for your consideration. Please feel free to call me at Ext. 3845 if you would like to discuss it further.

Bob Kispert

000071

Dept of Energy Speech
October 13, 1998
Final Land Use Hearing
Fernald, Harrison, Ohio

I thank you for allowing me to speak to you today and I extend our deepest appreciation to the Civic Organizations, the folks of Fermco and the Dept. of Energy that have supported this project for so long .

I am a Co-Chair for the Native American Alliance of Ohio and I am the Principal Chief of the Tallige Cherokee Nation, a splinter group that escaped from the Trail of Tears. I am also an Indian person and I am going to speak as One.

The Victorious rule the vanquished that has been the history of the world since the world was created: no matter the reason for the War.

And so it came to pass that the Indiginous People of this Hemisphere lost and the Winner of this War has written the History Books. My Ancestors were called Savages, Uncivilized, Lazy and Barbaric. I read these History books in school and was astonished because I was an Indian and I was not any of those things. I was afraid because my Grandmother said Not to tell we were Indian or the Government will send us WEST and I sure did not want to go there because that was where the BAD INDIANS lived as was written in the History Books.

My Grandmother did not realize what she was teaching me. She taught me the family trials and tribulations, from the two Principal Chiefs in our family, the Customs and Traditions of the Cherokee People, of the escape from the Trail of Tears, the 150 years and the seven generations of the Diaspora to the re-emergence and the gathering of the People again to become Indian People, The First People of this land.

000072

My Grandmother taught me to be proud of who and what I am - a Indian Person.

My grandmother never went to any formal school, she went to the hardest school of all, a hillside farm in Southeastern Kentucky but she remembered her history and she passed that history along to the generations that have followed after her, as I am passing it along to the generations that are following me. She ordered me to get as good an education as I could possibly get as she knew that education was a defense against the repetition of history . A bloody and tragic history.

And I did.

I learned:

If you were not civilized in this country your Cemeteries are not Sacred because you are not a Human Being.

I learned:

You were not allowed to own property, such as horses, cattle, sheep, farms.

I learned:

You were not allowed to get married in the dominant Societies Churches if you are a savage.

I learned:

Treaties were signed with the United States to end the war and to take the land and every one promised to protect the resting places of the dead and were discarded or ignored by the United States Government as being "Out Of Date". Well, After All, We Had Lost The War.

There are some of us, that are here today, that believe that life is a circle: we are born, we are children, grow to adults, then old age and finally, we are given eternal rest in Mother Earth and our Spirits go to the great Sky Vault.

So did our ancestors live and die in that belief and that promise, as was given to us, from the "Creator Of Us All". Wasn't it also given to you?

Now, for the Ancient People and for the descendents of those people, the Great Circle of Life is in your hands and we hope, in your hearts. We have prayed for many years that we could see this effort through to its successful conclusion.

P.O. Box 502
 THORNVILLE, OHIO 43076



(614) 372-0254
 (614) 246-6863

United States Department of Energy
 Fernald Environmental Management Project
 P.O. Box 538705
 Cincinnati, Ohio 45253-8705

Gary Stegner
 DOE Public Affairs Office
 P.O. Box 583704
 Cincinnati, Ohio 45253-8704

Comments
 for proposed final land use

Ladies and Gentlemen;

My name is Barbara Crandell I am Co-Chair of the Native American Alliance of Ohio.

Thank you for the opportunity to come here and speak to you on the final land use project. My request is for space to rebury thousands of Indian remain. These remains are in the possession of the Universities and Ohio Historical Society, laying on shelves and in dark warehouse in cardboard boxes. Waiting for someone to come to their rescue. Will you be that person? Will you help us bury our dead? Our request is a simple one. Let us bury our dead.

In 1994 when the Fernald Environmental Management project people contacted me. They informed me of burials they had disturbed while putting in a water line. In 1997 we reburied the people here in the protected land of the Fernald Nuclear Weapons Plant. As I helped put the last clod of dirt over the ancestors a dream came

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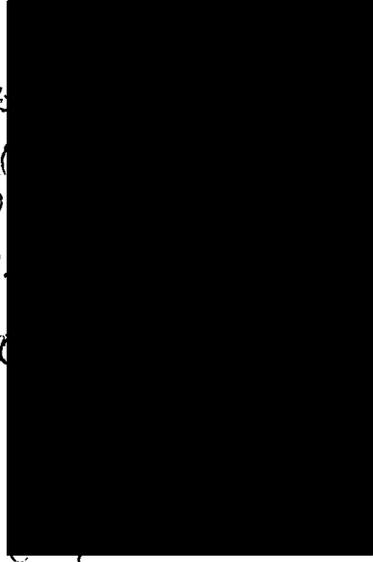
Its been over 500 years that you have been in this country and this is the first time a Government agency has begun to listen to the heartbreak caused by the desecration of our Cemeteries and the collection of our ancients bones and burial goods for display and profit.

The Native Peoples of this Country asks that you, the Dept. of Energy, Environmental Protection Agency and The Dept. of the Interior include in your plans for this land a final resting place for these long disturbed people that have'nt a resting place anywhere in this great land in which they lived and died.

The whole world is watching and listening to what you do here. Please tell them you have heard.

Thank you

Dwight D. Davis



000075

to me, a dream to ask for land to bury all of our ancestors. I have never stopped dreaming of this. Not a day goes by that I don't think of this land and how it would benefit our old ones.

Our dream is to create a park. In this park we hope to have trees, grass, and Prairie grass. Along the the edge of the burials. we would like to have benches made of stone or concrete. I prefer to have them made out of stone Through out the burial ground we would like to have monuments build out of stone with brass plaques telling the history of the first people of this land. Every thing would be built to stand years of Ohio weather and the countless children that will come to play and learn. It is our intention to ask Mr. Innis to help us work out the details of what to put on the plaques. We also hope to see a museum built close by that would house Indian artifacts and other things of historic interest.

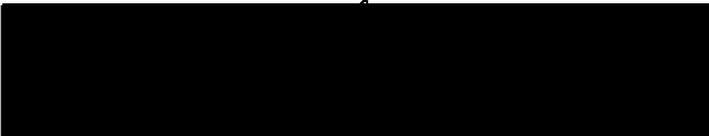
The Native American Alliance has traveled many miles searching for a final resting place for the ancestors. Until we get Federal land to bury them in, there will be no protection for them. If they are buried on private land they are at risk of being dug up and their journey to the spirit world inturped all over again.

If this proposal is granted it would bring much honor and pride to this community. Indian people will come from all over the United States to visit and show their appreciation for the park, and We will try to make this park a place, that the community will be proud of.

Thank you for your time.

I remain yours truly

Barbara Crandell



000076

Re: Environmental Assessment For Proposed Final Land Use At the Fernald Environmental Management Project

From: Jean McCoard, Native American Alliance of Ohio

"For everything there is a season, and a time for every matter under heaven". These words, penned by the ancient Hebrew Psalmist, were spoken also by the first people on this continent- our people- who lived by the seasons and understood the cyclical nature of time. The poet goes on to say, "There is a time..to break down and a time to build up."

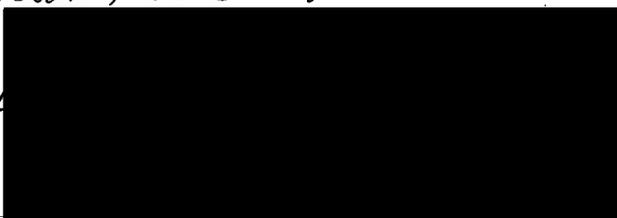
For Fernald the time to break down is rapidly passing. The time of devastation is over. The time of darkness is past. The terrible work of this place is over and a new time has come. It is now the time to gather stones together and to build up. And here at Fernald to build up means to give back: give back the clean air, the pure water, the good earth. Give back the trees, the birds and the grasses.

And give back land for the first peoples. Give back a place where our ancient dead can be reclaimed and protected--where our ancestors can be returned from the shelves on which they lie and be reburied in dignity and in honor in sacred Mother Earth. We ask not for ourselves, but for our Old Ones: the ones who taught us, as your ancestors did, that there is a time for every matter.

The ancient Hebrew Psalmist is remembered and revered for his legacy left to the generations. So too, we remember and revere our ancient Ones. It is they who taught us to walk in harmony and balance, to love Mother Earth, to live within the cycles of the seasons. It is time now for us to honor them.

We know that things will never really be the same again on this land called Fernald.. We know that the tears and the blood spilled on this land will never be returned. We know that broken hearts can never truly be mended. But a memorial park of First Peoples will serve as symbol of reconciliation across the generations. It will serve as a symbol of hope to our children, and to their children, and to their children's children. It will be for all of us a symbol that it is time to cease from weeping and began to laugh; to cease from mourning and begin to dance.

Jean McCoard



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00000000

THE TALLIGE CHEROKEE NATION

247-A Old U.S. Highway 52
West Portsmouth, Ohio 45663

Phone: 740-858-4227
Fax: 740-354-9752
Home: 740-354-9752

Principal Chief Town Chief Public Relations
Oliver Collins Floyd Logan Elmer Boggs



October 2, 1998

Department of Energy
Ohio Field Office
Fernald Area Office
P.O. Box 538705
Cincinnati, Ohio
45253-8705

Re: DOE-1213-98

Dear Sir,

We received your Environmental Assessment Number DOE-1213-98 and I have read it and discussed it with my Council People.

The Tallige Cherokee People believe that the restoration of the land that you have identified is a very responsible action and will be appreciated by all the colors of man across this country and even the world.

We especially are concerned about the Reburial issue for Ancient Native Americans as supported by many of the organizations civic and political in your area as well as Native groups both state and federal.

If the Reburial of Ancient Native Americans is included in this plan we would support your preferred alternative plan as indicated in your cover letter and discussed in the body of the Environment Assessment DOE-1213-98.

May the Creator of Us All hold you safe on your journey in this world.

Sincerely,

Oliver J. Collins
Principal Chief
Tallige Cherokee Nation

FERNALD
LNR M-000413
OCT 12 12 39 AM '98
FILED

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FERNALD _____

LOC M-00104

OCT 26 9 22 AM '98

Ms. Mary Stegner

FILE:

As a member of the ~~Native~~ American community here in Ohio, I'm writing to you and the Dept. of Energy, Fernald Area Office, about the proposed Native American Memorial and Reburial plus Educational facility.

I support this environmental assessment preferred alternative land use that does include the Native American Memorial, Reburial and Educational facility. Being many of the Native American communities did not relocate during the 1800's, like many of the other states Native American communities; this would be a very good gesture to continue the customs, traditions, and the fact that we are still a very big presence in the state of Ohio. Many of our children (the U.S. children) do not know that a large portion of these communities are still made up of Native American peoples. We're not just on reservations. The education of these children must be continued - to help us preserve customs, traditions, and the understanding between races.

I thank you for your time and understanding of this matter.

Wade (Thank you)

Patricia A. Lowe (Littleford)



000079

P.O. Box 502
THORNVILLE, OHIO 43076



(614) 372-0254
(614) 246-6863

Oct. 20, 1998

Gary Stegner
DOE Public Affairs Office
P.O. Box 583704
Cincinnati, Ohio 45253-8704

Dear Mr. Stegner,

On Oct. 19, 1998 I mailed seven letter to your office. These letter are the last of the Native American Alliance of Ohio comments on the Fernald land reuse project. When I started to refile the letters I found I had sent to your office the wrong letter from Representative Larry Householder. Would you please remove the previously sent letter and destroy it, and replace it with the one I have enclosed. Please forgive my mistake.

Thank you for giving this your attention.

Sincerely,

Barbara Crandell
Co-Chairperson
Native American Alliance
of Ohio

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FERNALD _____ 2360
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P.O. Box 502
THORNVILLE, OHIO 43076

OCT 20 9 13 AM '98 (614) 372-0254
(614) 246-6863

Gary Stegner
DOE Public Affairs Office
P.O. Box 583704
Cincinnati, Ohio 45253-8704

Oct. 19, 1998

Dear Mr. Stegner;

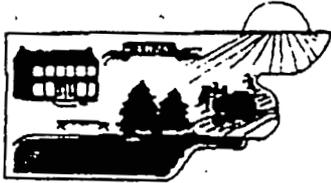
The Native American Alliance of Ohio met in council yesterday , Oct. 18, 1998 and decided to add to their comment on the proposed land use. The letters inclosed are in support of a reburial cemetery that will be know as the North American Indian memorial Park. This park will be for Indian remains now being housed at the Ohio Historical Society and Ohio State University. Please see the enclosed seven {7} letters get into the file as our final say .

Sincerely,

Barbara Crandell
Co-Chairperson
Native American Alliance
of Ohio

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45000000



Crosby Township

10759 Oxford Rd.
Harrison, OH 45030
Hamilton County

January 26, 1998

Dr. Francis P. McManamon
National Park Service (2275)
1849C Street N.W.
Washington, D.C. 20240

Dear Dr. McManamon,

The Crosby Township Trustees would like to express our support for the project presented by the Native American Committee. We are the township where most of the Fernald Nuclear Power Plant is located.

We would welcome the placement of these remains in our township as their final resting place.

Thank you for your consideration.

Sincerely,


Gary Sporer, President


Jane Harper, V.P.


Melba Guard

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2360

State of Ohio Environmental Protection Agency

Southwest District Office

401 East Fifth Street
Dayton, Ohio 45402-2911
(513) 285-6357
FAX (513) 285-6249

George V. Voinovich
Governor

January 22, 1998

Dr. Francis P. McManamon
Departmental Consulting Archeologist
National Park Service (2275)
1849 C Street NW
Washington DC 20240

Dear Dr. McManamon:

I am writing to express Ohio EPA's strong support for use of portions of the United States Department of Energy's Fernald site for curation under ground of unidentifiable Native American remains. The proposal to use portions of the site was presented to Ohio EPA and other Fernald stakeholders by the Native American Alliance of Ohio on January 20, 1998. I believe a similar presentation will be made at the NAGPRA Review Committee Meeting on January 29.

Ohio EPA believes the proposal is complementary to our objectives for site restoration and consistent with ongoing Natural Resource Trustee negotiations. Placement of remains at Fernald can be coordinated with revegetation plans for the site such that each effort builds upon the other. This project should be an asset to Native Americans, local citizens, and the State of Ohio. Additionally, the project provides a significant educational opportunity for everyone.

The previous success with curation under ground of unidentifiable Native American remains at Fernald demonstrates the ability of DOE and the community to honorably and cooperatively implement such a project. Ohio EPA will provide technical support and other assistance where possible throughout the implementation of the proposal. If you have any questions regarding this letter or how Ohio EPA can be of assistance, please contact Tom Schneider at (937) 285-6466.

Sincerely,

Graham E. Mitchell, Chief
Office of Federal Facilities Oversight

cc: Barbara Crandell, NAAO
Jack Craig, DOE-FN
Lisa Crawford, FRESH
Leah Dever, DOE-OH
Jim Fiore, DOE-HQ

000083





10172 Columbia Avenue, Harrison, Ohio 45030 (513)385-8350

January 21, 1998

Dr. Francis P. McManamon,
 Department Consulting Archaeologist
 National Park Service(2275)
 1849 C Street NW
 Washington, DC 20240

Dear Dr. McManamon:

As officers of the Crosby Township Historical Society, we are pleased to support the proposal by Barbara Crandell of the Native American Alliance of Ohio to the NAGPRA Committee for the establishment of a federally-protected reburial site for Ohio's culturally-unidentified Native American human remains on grounds of the Fernald DOE Site in Crosby Township, Hamilton County, Ohio. We are convinced that these prehistoric human remains should be returned to the ground as permitted by the NAGPRA.

Fernald is the most notable feature of our township, and has caused significant impact on the neighborhood environment and the lives of our citizens. As the remediation phase progresses at this site, we are very eager to have a plan develop for a perpetual use of the site consistent with the peaceful resolution of the Cold War period. We believe that significant evidence of prehistoric human cultural use of the site, and the availability of Federal land which could be transferred to the jurisdiction of the Department of Interior, make the Fernald Site uniquely suitable for the purpose outlined in the proposal.

Sincerely,

Linda Flick
 Linda Flick
 President

James Innis
 James Innis
 Program Coordinator

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2360

F.R.E.S.H., Inc.

Fernald Residents for Environmental Safety and Health

January 26, 1998

Dr. Francis P. McManamon
Departmental Consulting Archeologist
National Park Service(2275)
1849 C Street NW
Washington, DC 20240

Dear Dr. McManamon,

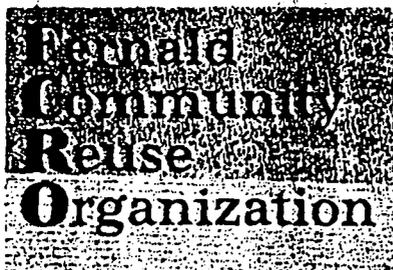
F.R.E.S.H. (Fernald Residents for Environmental Safety and Health) Inc. is a non-profit grassroots organization dedicated for the past 13 years to the cleanup of the Fernald Environmental Management Project (FEMP) which is located in our community. Assuming there is acceptance by the federally recognized tribes, we would like to endorse the use of federal land at the FEMP for curation underground of culturally unidentifiable Native American remains. The site is more than 1,000 acres and is currently being remediated by the Department of Energy. There are several possible locations on the site that could be used for curation underground of the remains of the "culturally unidentifiable" ancestors of Ohio's Native Americans. Because much, if not all, of the site will remain in federal control and be used as green space as a result of the CERCLA cleanup, the curated remains would be protected from future disturbance and would provide a respectful burial for these people who preceded us all. Our community in general and the FEMP site in particular have many sites that were important to Ohio's native peoples. The concept, as presented to us by Barbara Crandell and Jean McCoard of the Native American Alliance of Ohio on January 20, 1998, would be viewed by us as an asset to our community.

Our only concerns would be that the process and work of establishing such a place must not slow the cleanup of the FEMP or divert DOE funds for cleanup. As you consider how to deal with Ohio's "culturally unidentifiable" human remains, please consider this plan as a fitting resolution to the issue. We hope that your Board will be able to recommend to Congress that they create a mandate supporting this plan.

Respectfully,

Lisa Crawford
President of F.R.E.S.H., Inc.
P.O. Box 129
Ross, OH 45061-0129
(513) 738-8055

000085



March 24, 1998

Dr. Francis P. McManamon
Consulting Archeologist
National Park Service (2275)
1849 C Street NW
Washington, DC 20240

Dear Dr. McManamon:

I am writing to express the support of the Fernald Community Reuse Organization (CRO) for further examination of certain sites at the U.S. Department of Energy's Fernald facility for curation underground of unidentifiable Native American remains. We have been asked by the Native American Alliance of Ohio, on January 20, 1998, to comment on this proposal. We believe that the proposed use of a portion of the site for underground curation may well be consistent with our organization's views regarding final land use disposition.

The CRO is composed of representatives from local government, the private sector and public interest groups. The CRO has been charged by the Department of Energy to make recommendations on final land use disposition of the Fernald property. Our primary interest is in issues related to economic reuse of the site, as well as stimulation of the local economy, thereby easing the transition of Fernald workers into the Greater Cincinnati economy.

The previous success with curation underground of unidentifiable Native American remains at Fernald has demonstrated the ability of DOE and the community to cooperate on such an undertaking. As this proposal continues to be examined by all relevant authorities, the Fernald CRO would like to continue to be informed about the progress of the review and have opportunities to comment. In the meantime, please be advised of our general support for this proposition. If you have any questions regarding this letter or wish to receive additional thoughts and comments from the Fernald Community Reuse Organization, please contact our Economic Development Consultant, Curt Paddock at (513) 527-3150.

Sincerely,

A handwritten signature in black ink, appearing to read "D. McWilliams", is written over the word "Sincerely,".

Dr. David McWilliams, Chair
Fernald Community Reuse Organization

DM/sb

C: Jack Craig, DOE

000086

P. O. Box 38

Ross, Ohio 45061

513-648-4168

United States Department Of Energy
Fernald Environmental Management Project
P.O. Box 538705
Cincinnati, Ohio 45253-8705

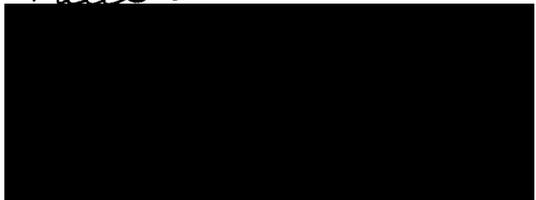
Gary Stegner
DOE Public Affairs Office
P.O. Box 583704
Cincinnati, Ohio 45253-8705

Dear Mr. Stegner;

I wish to go on record as supporting the efforts of the Native American people in securing land at the Fernald nuclear Weapons plant. I understand they wish to have land for the purpose of reburial of their ancestors that have been languishing on shelves in museums and historical Societies throughout the state for many years. This is a worthy project and shows a lot of compassion and understanding for the first people of this continent.

I am a citizen of the United States and a resident of the state of Ohio.

Paul Callahan



United States Department Of Energy
Fernald Environmental Management Project
P.O. Box 538705
Cincinnati, Ohio 45253-8705

Gary Stegner
DOE Public Affairs Office
P.O. Box 583704
Cincinnati, Ohio 45253-8705

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I am a citizen of the United States and a resident of the state of Ohio.

Nellie Callahan



000088

2360

United States Department Of Energy
Fernald Environmental Management Project
P.O. Box 538705
Cincinnati, Ohio 45253-8705

Gary Stegner
DOE Public Affairs Office
P.O. Box 583704
Cincinnati, Ohio 45253-8705

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I am a citizen of the United States and a resident of the state of Ohio.

Ruth Padgett



000089

United States Department Of Energy
Fernald Environmental Management Project
P.O. Box 538705
Cincinnati, Ohio 45253-8705

Gary Stegner
DOE Public Affairs Office
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I am a citizen of the United States and a resident of the state of Ohio.

Evelyn H.


000090

United States Department Of Energy
Fernald Environmental Management Project
P.O. Box 538705
Cincinnati, Ohio 45253-8705

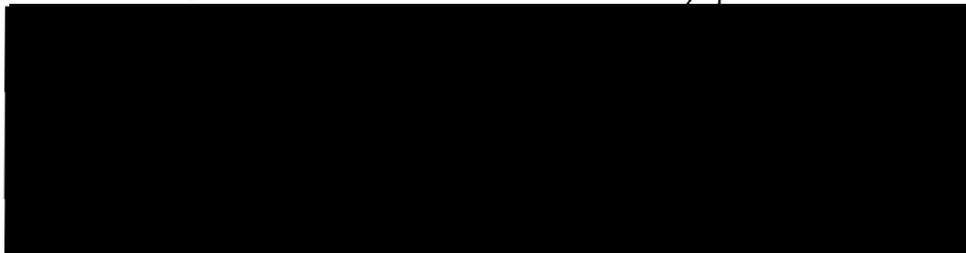
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Cincinnati, Ohio 45253-8705

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I am a citizen of the United States and a resident of the state of Ohio.

Margaret A. Mitchell



000091

United States Department Of Energy
Fernald Environmental Management Project
P.O. Box 538705
Cincinnati, Ohio 45253-8705

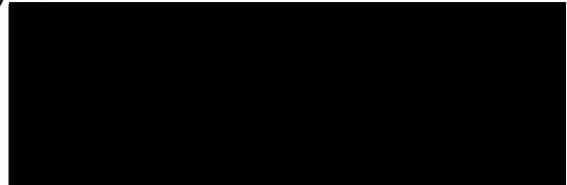
Gary Stegner
DOE Public Affairs Office
P.O. Box 583704
Cincinnati, Ohio 45253-8705

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I am a citizen of the United States and a resident of the state of Ohio.

Marie Cotterman



2360

10-13-98

Energy

Fernald Environmental Management Project
P.O. Box 538705
Cincinnati, Ohio 45253-8705

Gary Stegner
DOE Public Affairs Office
P.O. Box 583704
Cincinnati, Ohio 45253-8705

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I am a citizen of the United States and a resident of the state of Ohio.

Ethel Rose
L. T. ST

000093

United States Department Of Energy
Fernald Environmental Management Project
P.O. Box 538705
Cincinnati, Ohio 45253-8705

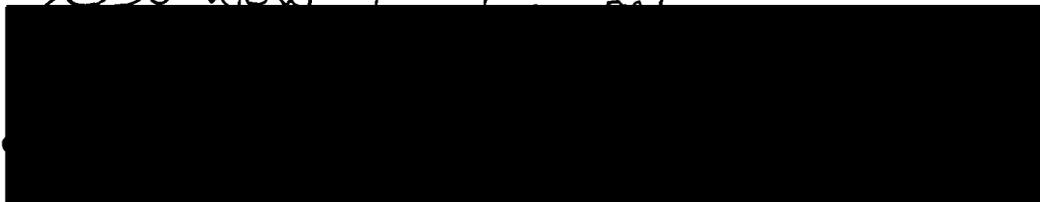
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P.O. Box 583704
Cincinnati, Ohio 45253-8705

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I am a citizen of the United States and a resident of the state of Ohio.

Gerard T. V.



United States Department Of Energy
Fernald Environmental Management Project
P.O. Box 538705
Cincinnati, Ohio 45253-8705

Gary Stegner
DOE Public Affairs Office
P.O. Box 583704
Cincinnati, Ohio 45253-8705

Dear Mr. Stegner;

I wish to go on record as supporting the efforts of the Native American people in securing land at the Fernald nuclear Weapons plant. I understand they wish to have land for the purpose of reburial of their ancestors that have been languishing on shelves in museums and historical Societies through out the state for many years. This is a worthy project and shows a lot of compassion and understanding for the first people of this continent.

I am a citizen of the United States and a resident of the state of Ohio.

Freda E. Kaufman



United States Department Of Energy
Fernald Environmental Management Project
P.O. Box 538705
Cincinnati, Ohio 45253-8705

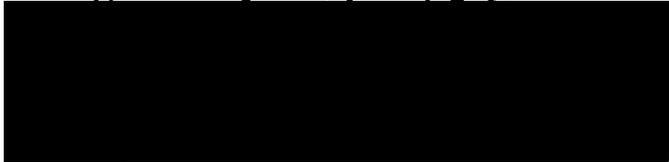
Gary Stegner
DOE Public Affairs Office
P.O. Box 583704
Cincinnati, Ohio 45253-8705

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I am a citizen of the United States and a resident of the state of Ohio.

Gene R. Johnson
Street



000096

United States Department Of Energy
Fernald Environmental Management Project
P.O. Box 538705
Cincinnati, Ohio 45253-8705

Gary Stegner
DOE Public Affairs Office
P.O. Box 583704
Cincinnati, Ohio 45253-8705

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I am a citizen of the United States and a resident of the state of Ohio.

Thank You,

United States Department Of Energy
Fernald Environmental Management Project
P.O. Box 538705
Cincinnati, Ohio 45253-8705

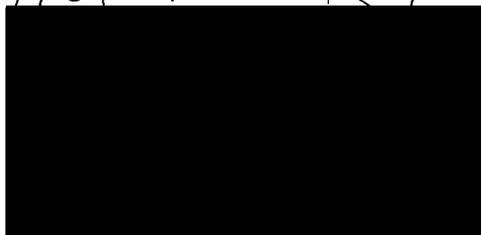
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Cincinnati, Ohio 45253-8705

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I am a citizen of the United States and a resident of the state of Ohio.

Mei Risberg



000098

2360

United States Department Of Energy
Fernald Environmental Management Project
P.O. Box 538705
Cincinnati, Ohio 45253-8705

Gary Stegner
DOE Public Affairs Office
P.O. Box 583704
Cincinnati, Ohio 45253-8705

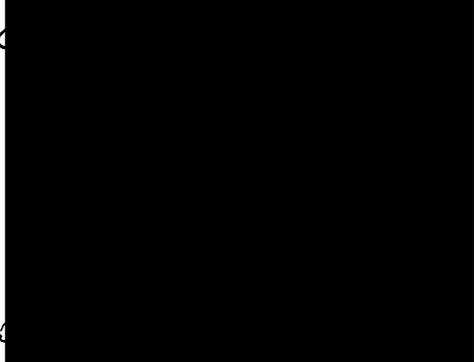
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I am a citizen of the United States and a resident of the state of Ohio.

Mary Lovastooth

000099



United States Department Of Energy
Fernald Environmental Management Project
P.O. Box 538705
Cincinnati, Ohio 45253-8705

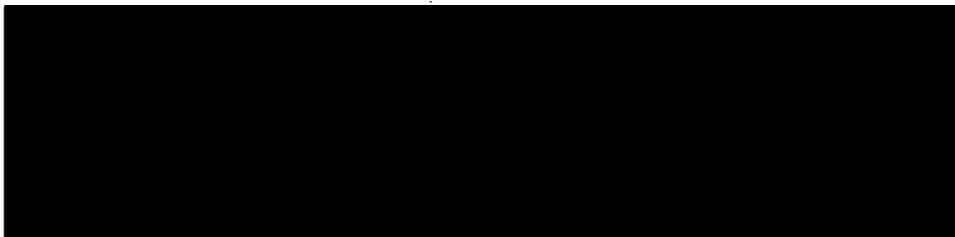
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DOE Public Affairs Office
P.O. Box 583704
Cincinnati, Ohio 45253-8705

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I am a citizen of the United States and a resident of the state of Ohio.

Bernita Dickerson



000100

United States Department Of Energy
Fernald Environmental Management Project
P.O. Box 538705
Cincinnati, Ohio 45253-8705

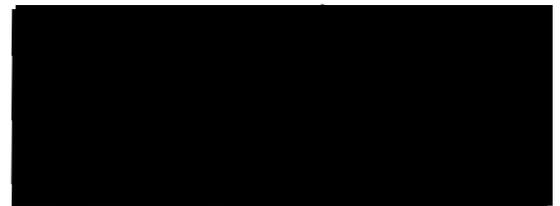
Gary Stegner
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P.O. Box 583704
Cincinnati, Ohio 45253-8705

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I am a citizen of the United States and a resident of the state of Ohio.

Hayel Hill



000101

United States Department Of Energy
Fernald Environmental Management Project
P.O. Box 538705
Cincinnati, Ohio 45253-8705

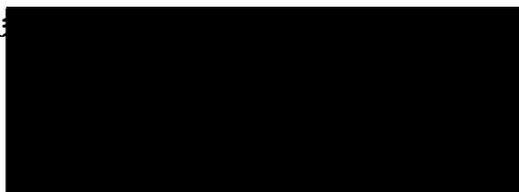
Gary Stegner
DOE Public Affairs Office
P.O. Box 583704
Cincinnati, Ohio 45253-8705

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I am a citizen of the United States and a resident of the state of Ohio.

Stelma Colborn



000102

2360

Environmental Assessment - Proposed Final Land Use

Following are brief summaries of phone conversations with several Federal Tribes and State Groups regarding the final land use at Fernald.

Miami Tribe of Oklahoma, Chief Floyd Leonard

60

The Miami Tribe is interested in seeing the land at Fernald being used for the reburial of Native American remains. They would also like to see a museum and/or educational facility. Please see attached letter.

Delaware Tribe of Oklahoma, Chief Lawrence Snake

61

The Delaware are interested in the land being used for the reburial of Native American Remains. They also expressed interest in a museum, park, and educational facility. Small commercial development seemed to interest them as well. Letter forthcoming.

Wyandotte Tribe of Oklahoma, Chief Leaford Bearkin and Tribal Administrator Bill McKee

62

Would like to see the land used for the reburial of Native American remains. Letter forthcoming.

Loyal Shawnee Tribe of Oklahoma, Tribal Chairman Don Greenfeather

63

Would like to see the land used for the reburial of Native American remains. Please see attached letter.

Eastern Shawnee Tribe and Joint Reburial Committee, Lamont Laird

EA is under review, waiting for response.
Letter forthcoming.

Absentee Shawnee Tribe of Oklahoma, Tribal Secretary Vicki Joradio

EA is under review by the Tribal Secretary.

Miami Nation of Indians in Indiana, Spiritual Leader William Satory

Please see public record from hearing on October 13, 1998.

000103

North Eastern United States Miami Inter-Tribal Council and Iroquois Nation, Beagle Billock

Interested in seeing land used for the reburial of Native American remains.
Letter forthcoming.

64

Native American Alliance of Ohio, Co-chair Oliver Collins and Co-chair Barbara Crandell

Please see public record from hearing October 13, 1998.

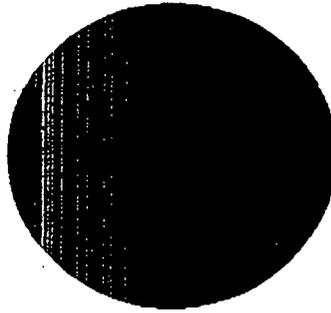
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000104

Miami Tribe of Oklahoma

2360

Tribal Administration
 (918) 542-1445 • Fax: (918) 542-7260
 Tax Commission
 Housing Improvement
 Child Care
 Community Health



Senior Service Center - (918) 542-7377
 Library/Archives • (918) 542-4505
 Tribal Police • (918) 542-8670
 Domestic Violence/Emergency Shelter
 Service • (918) 542-8668
 Tribal Longhouse • (918) 675-4805

202 South Eight Tribes Trail
 P.O. Box 1326
 Miami, Oklahoma 74355

October 16, 1998

Joseph Schomaker
 Culture Resource Manager
 P.O. Box 538704
 Cincinnati, OH 45253-8704

Dear Sir:

As per our telephone conversation on October 8, 1998, the Miami Tribe of Oklahoma wishes to request Option III for the future of Fernald. It is our understanding that this option provides for reburial of Native Americans on site at Fernald.

We also wish to request that a Native American museum and Educational Center be established.

Yours truly,

Floyd E. Leonard
 Floyd E. Leonard
 Chief

000105

The Miami seal has a blue background, representing peace and tranquility; red, representing courage. twin teepees spell out the word "Miami". the words "manaque" "pehkokia" means "together peace".



LOYAL SHAWNEE TRIBE

P.O. Box 893 - Tahlequah, OK 74465
(918) 256-6914 (918) 253-8022

Don Greenfeather
Tribal Chairman

Ron Sparkman
Vice Chairman

October 13, 1998

Joe Shoemaker
Ohio Field Office
Fernald Area Office
P.O. Box 538705
Cincinnati, OH 45253-8705

Dear Mr. Shoemaker:

Per our phone conversation and a review of the proposed final land use, the Loyal Shawnee Tribe is in favor of the alternate proposal.

Should you have any concerns or questions, please feel free to contact me at (918) 456-0671 extension 2333.

Sincerely,

A handwritten signature in cursive script, appearing to read "Don Greenfeather".

Don Greenfeather
Chairman
Loyal Shawnee Tribe

000106

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68



IN REPLY REFER TO:

United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
Custom House, Room 244
200 Chestnut Street
Philadelphia, Pennsylvania 19106-2904

FILE: 5401
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FERNALD

October 20, 1998

ER-98/605

Mr. Glenn Griffiths, Acting Director
Ohio Field Office
Fernald Area Office
U.S. Department of Energy
P.O. Box 538705
Cincinnati, Ohio 45253-8705

Dear Mr. Griffiths:

The Department of the Interior (Department) has reviewed the Draft Environmental Assessment (EA) for the Proposed Final Land Use at the Fernald Environmental Management Project, Butler and Hamilton Counties, Ohio. We provide the following comments for your careful consideration.

The EA appears to be consistent with the National Environmental Policy Act and, additionally, addresses federally listed endangered species to the satisfaction of the U.S. Fish and Wildlife Service. The land use alternatives at the Fernald Site have been addressed in general terms to our satisfaction. We prefer and support the "Proposed Action" because it has the strongest potential to offset contaminant-induced injuries to natural resources and to maximize the amount of high quality fish and wildlife habitat available upon project completion. We understand that the details of the various natural resource restoration projects and a decision on the possible disposition of about 23 acres for commercial development are yet to be determined by the Department of Energy (DOE) and will be the subjects of subsequent documents. In addition, we remain in need of your information concerning ownership of mineral resources. Please continue to coordinate all phases of the final land use plan with this office and those identified at the close of this letter.

As you may be aware, the Department actively participated with DOE and the Ohio Environmental Protection Agency (Ohio EPA) in assessing natural resource injuries and developing restoration proposals at the Fernald Environmental Management Project. The trustee agencies have made good steady progress in this effort as is indicated by the documents now undergoing public review. We are now approaching the point in this process where it may be possible to formally reach agreements to resolve all trustee concerns. I recommend that DOE and the Department begin to explore how best to accomplish this action at the federal level. At this time, I suggest consideration of a Memorandum of Agreement (MOA) that would formalize

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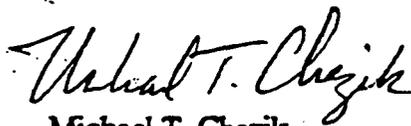
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understandings and address our costs for past involvement, as well as future oversight for designing and successfully implementing the restoration. It is my understanding that DOE already has in place a reimbursement agreement for project coordination with the Ohio EPA. I also understand that Ohio EPA may resolve their natural resource damage claim by seeking to amend the 1988 Consent Decree. Therefore, it behooves the Department and the DOE to address the aforementioned issues under a separate agreement, such as the suggested MOA. Of course, we are willing to consider alternative mechanisms. Please respond with your suggestions and identify an appropriate contact to negotiate an agreement with the Department. Our contact person for this effort will be Jean Sutton, Office of the Solicitor, U.S. Department of the Interior, Bishop Henry Whipple Federal Building, 1 Federal Drive, Room 686, Fort Snelling, Minnesota, 55111-4007. Please feel free to telephone her at (612)713-7100 to discuss this matter.

The Department has a continuing interest in working with the DOE to ensure that injured natural resources and lost uses are restored at Fernald. For continued coordination related to restoration of fish and wildlife resources, please contact Mr. Kent Kroonemeyer, Field Supervisor, U.S. Fish and Wildlife Service, 6950 Americana Parkway, Reynoldsburg, Ohio 43068-4132, Telephone: (614)469-6923 ext. 12, or Mr. Bill Kurey, project biologist, Telephone: (614)469-6923 ext. 14.

We appreciate the opportunity to review the document.

Sincerely,

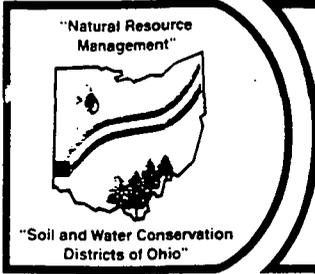


Michael T. Chezik
Regional Environmental Officer

cc:

T. Martin, NRMT, OEPC, WASO
W. Hartwig, FWS, Ft. Snelling, MN
K. Kroonemeyer, FWS, Reynoldsburg, OH
J. Sutton, FSOL, Ft. Snelling, MN

000108



Butler Soil and Water Conservation District

1810 Princeton Road
Hamilton, Ohio 45011

Telephone: (513) 887-3720 or
Middletown: 424-5351
FAX: (513) 737-0365

BOARD OF SUPERVISORS

Donald Lake
Chairman
Hanover Township

Richard Kolb
Vice-Chairman
Reily Township

Keith "Sandy" Becker
Secretary
Indian Springs

Ted Jung
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Lynn Meyer
Member
Liberty Township

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David M. Carter
District Program Adm.

Edsel Harrison, Jr.
Urban Erosion Control
Specialist

Norma Carr
Administrative Assistant

Pam McBride
Secretary

Peter Berard
Education Specialist

Heather Dudley
District Technician

Lorna Harrell
Mill Creek Project
Coordinator

Tim Buckley
No-Till Drill Specialist

NATURAL RESOURCES CONSERVATION SERVICE U.S. DEPT. OF AGRICULTURE

Randy Jordan
District Conservationist

John Williams III
Soil Conservationist

October 14, 1998

Mr. Gary Stegner, Public Information Director
U.S. Department of Energy
MS 45
P.O. Box 538705
Cincinnati, OH 45253-8705

Dear Mr. Stegner:

Our staff has recently reviewed the *Environmental Assessment for Proposed Final Land Use at the Fernald Environmental Management Project* and we would like to comment affirmatively on it. As an agency, our mission is to assess natural resources needs and to solve soil and water conservation problems throughout the county. We believe the proposed action is not only consistent with stakeholder input and regulatory requirements, but also will provide long-term benefits to Butler and Hamilton counties by restoring significant open space for potential public use.

In any activity involving grading of a site, erosion and sediment control is of concern to us in preventing soil loss and water quality degradation. We trust appropriate best management practices will be followed to minimize these impacts at Fernald.

We appreciate the opportunity to comment on the environmental assessment and look forward to seeing the variety of habitats the proposed action will restore.

Sincerely,


Donald Lake
Chairman

000109

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M-00026



State of Ohio Environmental Protection Agency

Southwest District Office

401 East Fifth Street
Dayton, Ohio 45402-2911
(513) 285-6357
FAX (513) 285-6249

George V. Voinovich
Governor

October 14, 1998

RE: DOE FEMP
NEPA EA FOR FINAL LAND USE
AT FERNALD

Mr. Gary Stegner
U.S. Department of Energy, Fernald Area Office
P.O. Box 538705
Cincinnati, OH 45253-8705

Dear Mr. Stegner:

Ohio EPA has reviewed DOE's September 18, 1998 document "Environmental Assessment for Proposed Final Land Use at the Fernald Environmental Management Project." The following paragraphs provide our comments on the document.

Ohio EPA supports the Proposed Action's commitment of the majority of the Fernald site to natural resource restoration. We believe this is the most logical and efficient use of the post-remediation landscape. In addition, we expect that this commitment of the site will lead to the successful negotiation of a resolution for the State of Ohio's NRDA claim against DOE.

The restored site should provide an opportunity for education and recreation for residents of the local community as well as the tri-state area. Development of educational and recreational features into the restored site along with the involvement of local schools and universities in the restoration will yield substantial benefits to DOE and the community.

Ohio EPA believes DOE should more pro-actively support the concept and implementation of a Native American memorial/reburial area on the Fernald site. Ohio EPA is eager to work with the Natural Resource Trustees, DOE, tribal government, local community and others to make this idea a reality. Incorporation of this concept into the natural resource restoration is certainly feasible.

With regard to setting aside the 23 acres for potential economic reuse, Ohio EPA believes the evaluations conducted for the Community Reuse Organization provide considerable enlightenment to this portion of the Proposed Action. Given the lack of commercial demand for the property into the foreseeable future, Ohio EPA recommends DOE consider community based uses that are consistent with the final land use for the rest of the site. One current proposal that Ohio EPA believes has merit is the development of a museum/educational facility on the 23

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Ohio EPA Comments
October 15, 1998
Page 2

acres. Such a facility could house information developed by the Fernald Living History Project, an environmental education center leading to the rest of the site and educational facilities regarding Native American culture and reburials. A facility of this type would provide educational resources for local schools and draw visitors who would support local businesses.

A final issue that needs to be considered regarding the language setting aside the 23 acres is the likelihood that OSDF construction will require clay borrow from that area. The area west of the south entrance road was evaluated as a backup borrow area in the original OSDF design. Considering the current rate of clay usage and screening efficiency, Ohio EPA believes it is likely that borrow activities will have to occur within the 23 acres addressed in the EA. Therefore, whatever decisions result from this public comment period it is in DOE's best interest to maintain the option of using this area for borrow activities.

If you have any questions, please contact me at (937) 285-6466.

Sincerely,



Thomas A. Schneider
Fernald Project Manager
Office of Federal Facilities Oversight

cc: Jim Saric, U.S. EPA
Terry Hagen, FDF
Ruth Vandergrift, ODH
Mark Shupe, HSI GeoTrans
Francie Barker, Tetra Tech EM Inc.
Manager, TPSS/DERR,CO
Vanessa Steigerwald, DERR/CO
Ed Skintik, DOE

DENNIS SANCHEZ
1009 S. PARK Dr.
Brookfield, OH.
44403
Miami Chief
(303) 8561880

BEAGLE BILLOCK
POB 10022
Akron, OH.
44310
Spokesman & B.A.
(330) 2537438
Oct. 28, 1998
POB 10022
Akron, OH. 44310

IRENE THORNTON
534 CARPENTER
Akron, OH.
44310
Clan Mother

71

N.E.U.S.



Inter-Tribal Council

Ohio Field Office DEO
Fernald area office
POB 538705
Cin. OH 45253-8705

FERNALD
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FILE: 5461.8
LIBRARY:

To Whom It May Concern;

The "NORTHEASTERN UNITED STATES MIAMI INTER-TRIBAL COUNCIL" AKA as the "N.E. U.S. MIAMI ITC" is responding to the matter of land use for remaining area at the FERNALD SITE. We need at least 10 acres for our remains of "AMERICAN NATIVES", NOW OR LATER DISTURBED! To be know as CORNPLANTERS REST". Then 50 plus acres for any AMERICAN NATIVE, (no matter what NATION or Tribal council) that desires buried near our GRANDPARENTS: called "GREENVILLE TREATY PARK", on "TWO FEATHERS DRIVE". The remaining areas that are wet lands, to be called "THE WESTERN-DOOR WET LANDS; on "SENEKA WAY", BECAUSE the GENT TREATY stipulates that the SENEKA PEOPLE ARE THE WESTERN DOOR KEEPERS.

There is a need for a EDUCATIONAL BUILDING! a meeting place; with cooking and dinning areas. Office rooms, a place for any and all INDIAN NATIONS AND TRIBES to donate show pieces, a library for TREATIES, history books to verify and explain our way of life pre-colubian and the changes to-date. I would suggest a LOG CABBIN construction type buildings. Rooms to be named for an important AMERICAN NATIVE that has walked on. Roads paths and drives to carry fitting INDIAN names. A Tree of PEACE should be planted in front of the main building to the EAST!

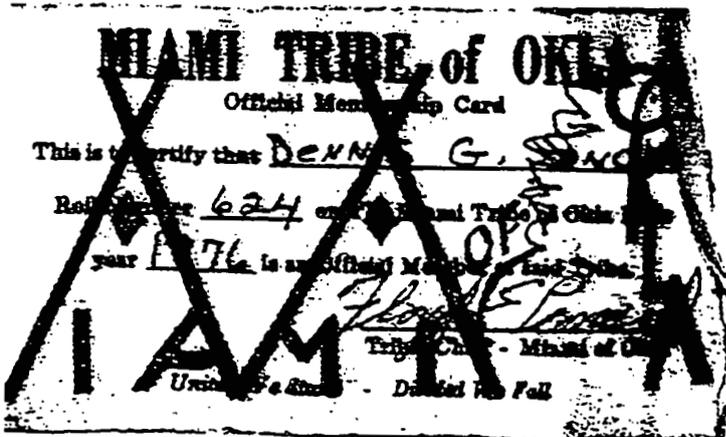
The N.E. U.S. MIAMI ITC, has been in contact with the Iroquois People the INDIAN DEFENCE LEAGUE OF AMERICA(IDLA) the UNITED NATION IN OHIO and too many to note here; the feeling is very strong for these ideas and would like to meet with DEO,FCAB,CRO,NRTs, and or any other seriously concerned groups,or persons.

000112

RESPECTFULLY

Beagle Billock
Spokes-Man & B.A.
BEAGLE BILLOCK

Irene Thornton
HEAD CLAN MOTHER
IRENE THORNTON





November 8, 1998

Mr. Gary Stegner
Public Information Director
U.S. Department of Energy
Fernald Environmental Project
P.O. Box 538705
Cincinnati, OH 45253-8705

Dear Mr. Stegner :

I have reviewed the July 1988 versions of the Natural Resource Impact Assessment (NRIA) and the Natural Resource Restoration Plan (NRRP) .In addition, I also reviewed the Environmental Assessment for Proposed Final Land Use at the FEMP (EA) dated September 1998. My comments on these documents are given in the following paragraphs and are submitted for your consideration

The intent of the NRIA is stated to present the natural resource impacts at the FEMP in accordance with regulatory responsibilities. I fully agree,as stated in 1.2.1 that the goal of remediation is to manage risk to acceptable levels and the goal of restoration is to return natural resources to baseline conditions to compensate for interim lost services.My concern is what the baseline is to be. It is abundantly clear that the area taken over by the United States Atomic Energy Commission in the early 1950's for the siting of the Feed Materials Production Center was basically farmland and as such many natural resources were already damaged. Farming is in general not very kind to preexisting ecology - trees are cut down destroying habitats ; the natural flow of runoff water is altered by plowing and whatever native flora existed are supplanted by crops.

The discussion in Section 2.0 fairly portrays the past impacts by DOE operations on the Great Miami Aquifer and the Great Miami River ,however it is important to note the extensive and expensive efforts which are ongoing to clean up the Aquifer. In all of this section the overall conclusion which I draw is that there have been some impacts but by far and large the FEMP is not a wasteland as a result of DOE operations at this 1050 acre site. Large attention is given in this section to the Miami University studies in 1986 and 1987 which ultimately showed that habitats, flora and fauna were as might have been expected and quite normal. (I personally feel that engaging Miami University to do these studies was one of my major management mistakes at the FMPC). The bottom line to all of this is contained in Table 3-1 which clearly shows that for the entire 1050 acre site past activities impacted only 320 acres (I subtracted 172 acres attributed to the

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GMA and GMR because they are not surface features). Another 298 acres are estimated to be impacted in future activities. In toto, the NRIA shows that ~ 59 % of the site has been and will be impacted. From this it would logically follow that DOE should be responsible for only that area which has been and will be impacted.

The NRRP quickly moves in Section 1.2 to a conceptual final land use of the FEMP as shown in Figure 1-1. It is not clear in anything I have read or seen how one can get from the NRIA to this version of a final land use. However in Section 2.1.1 I learn that one goal is to "Enhance, restore vegetative communities native to presettlement southwestern Ohio." This is a giant step for a site which was farmland in the 1950's. My question is : Why ? If it the collective agreement among all affected parties that it is in the best interests of the United States Government to expend environmental remediation funds on developing some experimental ecological demonstration site then the whole design ought to be turned over to some Governmental Agency more suited to knowledgeably address ecological matters than either DOE or OEPA. In any event it should be made very clear to people in Congress who are providing the environmental remediation funding that this is how some of these funds are being utilized. What precedent exists at any other DOE site for the kind of action described in this NRRP?

I was particularly intrigued by one of the features identified as an "aesthetic barrier". Section 4.0 describes this barrier to provide a visual buffer between Willey Road and construction activities ".....through dense planting of evergreens and deciduous trees. The aesthetic barrier will be typical of rural roadsides in agricultural landscapes." Two questions immediately come to mind : 1, What are we trying to hide ? and 2, what is wrong with being able to see construction activities ? The DOE publishes every month the "Fernald Report " which shows pictures of ongoing remediation activities. Being able to see these activities should be a big plus for DOE .

In the last 12 years since living in Ross I have driven thousands of miles in southwestern Ohio on rural roads and I have never seen this kind of hodge-podge aggregation of trees as planned and in fact now planted for this " aesthetic barrier". It is interesting to note that although flowering dogwood, which is more typically seen in northern Pennsylvania woods, is included but there are no redbud trees which are very abundant in this part of Ohio. The actual planting does not seem to be in accord with Figure 4-2. The evergreens seem to be planted in little triangles and it isn't clear that they are planted on 10 foot centers. I can only wonder, but perhaps you can tell me, who designed the barrier and decided what trees to plant. There is truth in the adage that beauty is in the eye of the beholder but I do not find this barrier aesthetically pleasing.

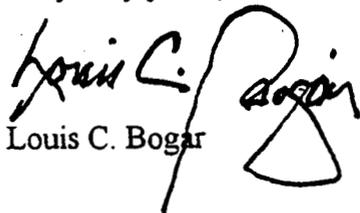
The EA identifies 884 acres to undergo natural resource restoration. This is not consistent with the much smaller area discussed in the NRIA. Even though the EA states that the No Action Alternative would not result in adverse human health or environmental impacts; Table 2 shows that the proposed action is expected to have positive impacts. How this conclusion was reached is unclear. It would appear that the preparers of this EA knew what conclusion they were to reach and proceeded to come to this conclusion with a

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minimum of effort. If the driver for all of these evaluations is the lawsuit by the State of Ohio, then it might well be cheaper for DOE, and ultimately for we taxpayers, to pay the claimed damages rather than embark on this long term restoration project. Again I feel strongly that neither DOE nor EPA are suitably qualified to make long term decisions on natural resource restoration.

In summary, I am very concerned that the NRIA, the NRRP and the EA should be further evaluated before any additional commitment of funds by the DOE. The hard part of remediation of the FEMP has not yet started: excavation of the waste pits, all of the silos work and below grade remediation of buildings in the former production area. I judge it is too soon to divert precious remediation dollars to projects which could and should be delayed into the future.

Very truly yours,



Louis C. Bogar

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The following are ideas submitted for inclusion with the future land use planning effort for the FEMP. Some of the concepts may have already been addressed by the Community Reuse Organization in their submittal or by other organizations.

1) Some type of facility may have to be constructed to provide storage for grounds keeping type equipment if DOE or another Federal agency intends to retain title to the property. Although it should be limited in scope there will be some amount of property that will require routine maintenance such as mowing etc. Unless this type of work will be fully contracted out some amount of ground should be set aside to accommodate this function.

2) At least two local educational institutions have expressed some degree of interest in the concept of establishing a world class training center to conduct specialized emergency planning and response training. There are two distinct audiences for this type of training. The emergency planning portion would be directed towards elected and appointed public officials. Classroom and computer simulated type training would provide this group with the hands on type of training necessary to prepare them to direct municipal organizations in the event of natural or other types of emergencies. The emergency response training would be targeted towards specialized training, both classroom and hands on field evolutions, for fire, hazardous materials, speciality rescue and possibly terrorist induced community emergencies. This facility would offer training at a level higher than that of the courses that are currently offered at local vocational schools or college campuses. Computer simulators and field props using clean technology methodologies would be utilized to support this training. One educator provided this concept, "A world class facility that would attract personnel from outside the immediate tristate area and employ nationally recognized trainers or leaders in this field. Personnel would come to this facility for short term, intense training classes and leave feeling they have participated in a superior program unequaled anywhere in the country."

This facility could also be utilized as the home base for the local Urban Search and Rescue Team as well as a home base for the regional hazardous material team, both whom would benefit from the availability of training. Personnel assigned to these groups could be utilized to help present the training and maintain the facility. It is estimated that approximately 5 acres would be needed to accommodate this facility.

3) The concept of a joint fire district type of arrangement has been proposed that would include the FEMP, Ross, Crosby and Morgan Townships. This concept includes an orderly transition of existing government owned emergency response equipment to the community, the district in return would provide contract emergency response services to the FEMP. Others services such as alarm monitoring, radio communications, emergency response planning and related services could also be included in this contract. The district would require a facility for housing emergency response equipment that could be built on FEMP property. This facility could be built in conjunction with the above mentioned training facility or be entirely separate. Approximately 1-2 acres of ground would be required for a structure and related parking. The structure would require access to the road that will transverse the site between Willey Rd and State Route 126 in order to provide expeditious service to the involved townships..

Structured in a creative manner all three of these concepts could be intertwined into one. Any of the above would also be complimentary to the proposed museum and educational center.

Submitted by:

Steven J. Wentzel
October 20, 1998

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COMMENTS FROM NATURAL RESOURCE TRUSTEE WORKSHOP TRANSCRIPT

NOTE: Although no one stood up and gave oral comments, the following issues were discussed and could possibly be considered comments since the meeting was held during the public comment period.

Page 56

Lisa Crawford: Supports reburial of the Native America remains.

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Page 61-62

Lisa Crawford: Concerning recreational activities at site after remediation - doesn't want anybody hunting and fishing on site. Doesn't have a problem with people meandering and walking through, but doesn't want them camping. Concerning picking berries, that falls under agricultural and therefore, won't be allowed.

Page 67-68

Pam Dunn: Supports the idea of natural resource preservation and a wildlife preserve. There should be a functioning ecosystem that will include a natural predator way of life.

75

Page 70

Jim Innis: Need to ensure that DOE is committed that there will be a real "guarantee for a budget" for wildlife management, land management, etc.

76

Page 77

Lisa Crawford: Rely on the experts. Get all the free resources and free information from the park districts that you can.

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COMMITMENTS BY DOE

Page 67

Pete Yerace: As an ongoing process, there will be other times to comment. When DOE issues the Implementation Plan, there will be another opportunity for the public to comment.

Page 72-73

Pete Yerace: Talking about "a covenant not to sue". Getting it done right and not have to reopen allowing for another law suit - that's how the natural resource damage assessment works and the whole natural resource restoration process.

COMMENTS FROM THE FINAL LAND USE PUBLIC HEARING

Page 15

Dave McWilliams: No action. Spoke briefly about the CRO and the 23 acres but let Curt Paddock make official comment from the CRO.

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Page 23

William Satory: I don't think he turned in a written comment so his is verbatim:

My name is William Satory. I live at [REDACTED] I am of Miami descent. I am the gentleman who is responsible for the federally recognized tribes for the reburial that has already taken place on the Fernald land.

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If it is my understanding that the federally recognized tribes are in favor and fully hope that land can be set aside or continually set aside for the reburial of the ancestral remains. There are virtually thousands that are in waiting across North America. Around this area in general there are ancestral remains waiting to be returned. With availability of the land at Fernald here that DOE has already allowed us to use, we would hope that there would be more land available for the re-interment of these ancestors, and I would hope that DOE would look strongly at this for the native people. Thank you.

Page 44-45

Pam Dunn verbatim:

Pam Dunn, [REDACTED]. Member of FRESH, FCAB, you know, I live right around the corner here.

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I like the green space, wildlife preserve, nature preserve aspect. This is something I've wanted to see happen to this site for a long time. So I do support your proposed action on that.

I think some other things need to be a little hammered out, though, and I'm not sure if it's the EA or if it's the restoration plan. I think you really need to be a little more detailed on the recreational usage of it. It's one thing to have hiking trails and places to bird watch, but I think you really need to be careful, I don't think you want hunting fishing. I don't think you want to see ball parks and anything like that out there. And I'm just not sure which document that comment needs to go to.

The 23 acres, there again, on the commercial, I don't have a problem with an educational museum center, and I personally support whatever the federally recognized tribes and the Alliance of Ohio Native Americans would like to do there. But any other type of commercial development, I think you really need to look at that too. I mean, I would really hate to see industrial complexes there like storage warehouses right beside a natural resource preservation and a nature preserve. I just don't think that would be real aesthetically pleasing. But other than those two areas, I support the proposed action.