



April 11, 2005

Mr. William Taylor  
Fernald Closure Project  
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## **Recommendation 2005-04: Comments on Fact Sheets Related to Regulatory Closeout Documents**

Dear Mr. Taylor:

Two related fact sheets, describing proposed changes to the U.S. Department of Energy's approach to fulfilling regulatory obligations at Fernald, were provided to the Fernald Citizens Advisory Board at its March 12, 2005 meeting:

- Development of CERCLA Remedial Action Closeout Reports for the Fernald Closure Project (dated March 2005).
- Decision by DOE and U.S. EPA to Formally Remove the Comprehensive Sitewide Operable Unit (Operable Unit 6) from the Amended Consent Agreement (dated March 2004)

Documentation of both the cleanup levels achieved and the residual health risks that remain at the site is a key component of cleanup. The FCAB has long supported flexibility in exactly how site conditions are recorded. Our key concerns are that documentation is clear, accurate, accessible to the public, and developed with input from a broad range of stakeholders.

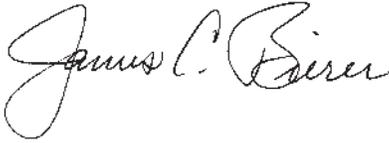
It is logical that discrete activities from some operable units could be shifted to other operable units in order to facilitate the efficient completion of closeout reports. This would allow DOE to fulfill portions of its closeout obligations while knowledgeable staff members remain on site and Environmental Management retains its capacity to conduct meaningful public participation.

Likewise, it is acceptable to eliminate Operable Unit 6 from the Consent Agreement if its intent would be fulfilled by a site-wide Final Residual Risk Assessment. A comprehensive assessment of residual contamination remaining at the site following remediation will be a critical step in moving towards a beneficial future use of the site. The information gained through this assessment will assure the community that the site is safe for public access and an appropriate setting for educational programs and facilities.

At the March 12 FCAB meeting, DOE indicated that it would complete an Interim Residual Risk Assessment for the site. Because the assessment and documentation of residual risk is of paramount importance, the FCAB recommends that DOE add to both fact sheets its commitment to complete an interim assessment for the site and a general timeline for when it and the Final Residual Risk Assessment would be completed. This information should also be added to the table attached to the fact sheet on Remedial Action Closeout Reports.

We look forward to receiving a revised copy of the fact sheets. Please let us know if you have any questions.

Sincerely:

Handwritten signature of Jim Bierer in cursive script.

Jim Bierer  
Chair

Handwritten signature of Lisa Crawford in cursive script.

Lisa Crawford  
Co-Chair

cc:  
G. Stegner (DOE)