



**Department of Energy**  
**Ohio Field Office**  
**Fernald Environmental Management Project**  
**P. O. Box 538705**  
**Cincinnati, Ohio 45253-8705**  
**(513) 648-3155**



**MAY 6 2004**

Mr. James Bierer, Chair  
Fernald Citizens Advisory Board  
406 Marcia Avenue  
Hamilton, Ohio 45013

DOE-0246-04

Dear Jim:

**RESPONSE TO APRIL 20, 2004 LETTER ON NATIVE AMERICAN ARTIFACTS**

The following is in response to the Fernald Citizens Advisory Board's (FCAB) April 20, letter regarding Fernald's plans for the disposition of Native American artifacts and for the construction of trails at Fernald.

The possession and disposition of artifacts is regulated by 36 CFR 79, Curation of Federally Owned and Administered Archeological Collections. This regulation covers all artifact collections resulting from cultural resource surveys conducted under the National Historic Preservation Act. The disposition of human remains discovered during cultural resource surveys is covered by the Native American Graves Protection and Remediation Act.

The process for the curation of Fernald's artifact collection is currently being developed and should be finalized within the next few months. A key component of the curation process will involve the selection of a curation facility to house the collection. We hope to identify a curation facility and begin the physical relocation of the collection by the end of 2004. We will brief the Stewardship Committee on the artifact disposition process in the near future.

Regarding your question on certain artifacts remaining in the community; certain artifacts could potentially remain in the community as long as the specific storage and documentation requirements are met as defined in the above mentioned 36 CFR 79. We will contact potential local curation facilities during the disposition process to determine their eligibility to receive artifacts.

The construction of trails is currently being discussed with State of Ohio officials as part of the Natural Resource Damage (NRD) litigation. DOE hopes that the NRD settlement will result in the placement of trails on the ecologically restored Fernald property. If built, our