

Comprehensive Legacy Management and Institutional Control Plan (S03496-12.0)
Revision 12, January 2019
Variances for Calendar Years 2020 and 2021

Variance Number	Variance Title	Significant? ^a (Y/N)	Affected Volume/Attachment and Section	Variance Date	Regulatory Approval Date	
					EPA	Ohio EPA
2020-01	Document Revision	Y	Volume I, Section 1.1, Purpose and Organization of the LMICP and Volume II, Section 1.6, Updates to the Institutional Control Plan	11/19/2019	1/8/2020	1/13/2020
2020-02	Prohibited Items	Y	Volume II, Figure 2, Fernald Preserve Prohibited Activities and Items.	9/18/2019		
2020-03	Inspection Timing	Y	Vol II, Section 3.2, Fernald Preserve Inspections and PCCIP, Section 6.2.1.1	11/19/2019		
2020-04	Lidar	Y	PCCIP, Section 3.3 OSDF As-Built	9/18/2019		
2020-05	Leachate Volume	Y	GWLMP, Section 3.2.2 Leachate Monitoring Compliance Strategy	11/19/2019		
2020-06	Accumulation Rate	Y	GWLMP, Section 4.4.2.1, Flow Monitoring in the LCS and LDS	9/18/2019		
2020-07	Contact List	N	Community Involvement Plan, Appendix A, Contact List	11/19/2019		
2021-01	Lidar	Y	PCCIP, Section 3.3 OSDF As-Built	12/15/2020	2/25/2021	12/29/2021
2021-02	Contact List	N	Community Involvement Plan, Appendix A, Contact List	12/15/2020		

^a Per the *Fernald Preserve Quality Assurance Project Plan* (DOE 2014): A **significant variance** is required when activities change the scope of the project and that change must be reviewed by the regulatory agencies. An **informational variance** is used for changes such as providing clarification, incorporating additional information, correcting errors or documenting resampling efforts.

Variance

Variance number: 2020-01 **Significant:** Yes No
Document number: LMS/FER/S04396-12.0 **Page:** 1 of 1
Document title: Fernald Preserve Comprehensive Legacy Management and Institutional Controls Plan **Date:** 11/19/2019

Variance

Requirements: Per Volume I, Section 1.1, Purpose and Organization of the LMICP (Page 3) and Volume II, Section 1.6, Updates to the Institutional Control Plan (Page 10):

"The future LMICP schedule will be as follows:

- Each June, the annual Site Environmental Report will be submitted.
- Each September, an annual review of the LMICP will be submitted. It will identify updates as necessary.
- Each January, the document will be finalized to correspond with the monitoring and reporting schedule."

Variance: "The future LMICP schedule will be as follows:

- Each June, the annual Site Environmental Report will be submitted.
- Each September, an annual review of the LMICP will be ~~submitted~~ **completed**. ~~It will identify updates as necessary. The requirement to complete a full revision of the LMICP will be assessed with the regulators each year and, at a minimum, it is expected that a full revision of the LMICP will be required at least every 5 years. Based on the number and types of changes required each September, either a revised document or Variance for each change required to the existing document will be submitted. The variance process established in the Fernald Preserve Quality Assurance Project Plan (DOE 2014) will be followed.~~
- Each January, the ~~revised document or approved variances to the existing~~ **revised document or approved variances to the existing** document will be finalized to correspond with the monitoring and reporting schedule."




Justification:

With installation of the new wastewater treatment system in 2018 and the major changes in environmental monitoring that occurred in 2015 and 2016, it is expected that fewer changes will be required to the LMICP in the future.

For this reason, during the quarterly regulatory meetings held in spring and summer 2019, DOE proposed to EPA and Ohio EPA that the variance process established in the Fernald Preserve Quality Assurance Project Plan, Fernald, Ohio be used to communicate LMICP changes instead of updating the entire document every year. Further discussions took place with EPA and Ohio EPA in July 2019, and both agencies agreed to the proposed change to the LMICP revision process.

Requested By: Karen Voisard  **Date:** 11/19/2019

Variance Approvals

Required					
Yes	No	Name	Date	Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	K. Fritts 	<u>11-20-19</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<i>Quality Assurance</i>	<i>Date</i>		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	W. Hertel 	<u>11/20/19</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<i>Project Manager</i>	<i>Date</i>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Laboratory Technical Representative</i>	<i>Date</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	K. Voisard 	<u>11/19/2019</u>	<input type="checkbox"/>	<input type="checkbox"/>
		<i>Environmental Monitoring, Data Management and Reporting</i>	<i>Date</i>		

Variance Approvals

Required					
Yes	No	Name	Date	Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	M. Sizemore 	<u>11-20-19</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<i>Environmental Compliance</i>	<i>Date</i>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Environmental Sampling</i>	<i>Date</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Aquifer Restoration</i>	<i>Date</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<i>Other</i>	<i>Date</i>	<input type="checkbox"/>	<input type="checkbox"/>

Revision Required Yes No **Document No. and Title:** _____

Distribution	<input checked="" type="checkbox"/> Records Management	<input checked="" type="checkbox"/> EPA
	<input checked="" type="checkbox"/> Post to Web Page	<input checked="" type="checkbox"/> Ohio EPA

Variance

Variance number: 2020-02 **Significant:** Yes No

Document number: LMS/FER/S04396-12.0 **Page:** 1 of 1

Document title: Fernald Preserve Comprehensive Legacy Management and Institutional Controls Plan, Volume II **Date:** 9/18/2019

Variance

Requirements: Per Volume II, Figure 2, Fernald Preserve Prohibited Items (Page 12).

THE FOLLOWING ACTIVITIES AND ITEMS ARE PROHIBITED:

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> • Alcohol and illegal drugs • Firearms • Removing or damaging archaeological materials • Removing or damaging plants or plant parts (e.g., seed pods, fruit, leaves, firewood). • Mushroom gathering • Soil excavation • Swimming or wading | <ul style="list-style-type: none"> • Pets • Camping • Hunting, trapping, or fishing • Dumping • Fires, open flames, or smoking • Traveling off public roadways or trails • Using unmanned aerial systems (drones) • Tampering or damaging structures, fences, signs, or other property. |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Variance:

THE FOLLOWING ACTIVITIES AND ITEMS ARE PROHIBITED:

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> • Alcohol and illegal drugs • Firearms • Removing or damaging archaeological natural or man-made materials • Removing or damaging plants or plant parts (e.g., seed pods, fruit, leaves, firewood). • Mushroom gathering • Soil excavation • Swimming or wading | <ul style="list-style-type: none"> • Pets • Camping • Hunting, trapping, or fishing • Littering Dumping • Fires, open flames, or smoking • Traveling off public roadways or trails • Using unmanned aerial systems (drones) • Tampering or damaging structures, fences, signs, or other property. |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Justification:

Simplifying without radically altering the prohibited activities and items will be less ambiguous.

Requested By: John Homer **Date:** 9-12-2019

Variance Approvals

Required				
Yes	No	K. Fritts	<u>K. Fritts</u>	<u>9/12/19</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>		Quality Assurance	Date
<input checked="" type="checkbox"/>	<input type="checkbox"/>	W. Hertel	<u>W. Hertel</u>	<u>9/18/19</u>
			Project Manager	Date
<input type="checkbox"/>	<input checked="" type="checkbox"/>		Laboratory Technical Representative	Date
<input checked="" type="checkbox"/>	<input type="checkbox"/>	K. Voisard	<u>K. Voisard</u>	<u>9/12/19</u>
			Environmental Monitoring Data Management and Reporting	Date

Variance Approvals

Required				
Yes	No	M. Sizemore	<u>Mary Sizemore</u>	<u>9-12-19</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>		Environmental Compliance	Date
<input type="checkbox"/>	<input checked="" type="checkbox"/>		Environmental Sampling	Date
<input type="checkbox"/>	<input checked="" type="checkbox"/>		Aquifer Restoration	Date
<input type="checkbox"/>	<input type="checkbox"/>		Other	Date

Revision Required Yes No **Document No. and Title:** _____

- | | | |
|---------------------|--------------------------------------------------------|----------------------------------------------|
| Distribution | <input checked="" type="checkbox"/> Records Management | <input checked="" type="checkbox"/> EPA |
| | <input checked="" type="checkbox"/> Post to Web Page | <input checked="" type="checkbox"/> Ohio EPA |

Variance

Variance number: <u>2020-03</u>	Significant: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Document number: <u>LMS/FER/S04396-12.0</u>	Page: <u>1</u> of <u>1</u>
Document title: <u>Fernald Preserve Comprehensive Legacy Management and Institutional Controls Plan, Vol II and PCCIP</u>	Date: <u>11-19-2019</u>

Variance

Requirements:

Vol II, Section 3.2: Fernald Preserve Inspections (Page 26):

"To ensure safe and effective inspections, the schedule was modified in 2015 to focus on walkdown completion during the dry, cooler months of November through April. Performing walkdowns during months when less vegetation is present optimizes visibility of site conditions and allows access to more areas."

PCCIP, Section 6.2.1.1 (Page 29):

"These conditions have become more prevalent during the spring walkdown. So, beginning in 2012, the complete cap walkover is conducted annually in late fall or early winter, after warm-season grasses have gone dormant. Additional walkdowns of recently burned or mowed areas are also possible."

Variance:

Vol II, Section 3.2:

To ensure safe and effective inspections, the schedule was modified in 2015 to focus on walkdown completion during the dry, cooler months of November through April. Performing walkdowns during months when less vegetation is present optimizes visibility of site conditions and allows access to more areas. **Additional field walkdowns will take place following prescribed burns. Vegetation is completely removed following a burn, so inspection findings such as erosion rills and debris are readily visible.**

PCCIP, Section 6.2.1.1:

These conditions have become more prevalent during the spring walkdown. So, beginning in 2012, the complete cap walkover is conducted annually in late fall or early winter, after warm-season grasses have gone dormant. Additional walkdowns of recently burned or mowed areas are also possible. **will also be scheduled. Post-burn walkdowns have shown to be an optimal time for viewing inspection findings, such as erosion rills, animal burrows and woody vegetation.**

Justification:

Post-burn walkdowns have proven to be most effective on both the OSDF and the former Production Area. Vegetation is completely removed, so inspection findings such as erosion rills, debris and tree seedlings on the OSDF are readily visible. A spring 2019 walkdown across a burned area in the former production area resulted in the identification and removal of over 700 pieces of debris. All participants agree that post-burn walkdowns are effective.

Requested By: John Homer  **Date:** 11-19-2019

Variance Approvals

Variance Approvals

Required			Required		
Yes	No		Yes	No	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	K Fritts <u>K. Fritts</u> <u>11-20-19</u> Quality Assurance Date	<input checked="" type="checkbox"/>	<input type="checkbox"/>	M. Sizemore <u>M. Sizemore</u> <u>11-20-19</u> Environmental Compliance Date
<input checked="" type="checkbox"/>	<input type="checkbox"/>	W. Hertel <u>W. Hertel</u> <u>11/20/19</u> Project Manager Date	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Sampling Date
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Laboratory Technical Representative Date	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Aquifer Restoration Date
<input checked="" type="checkbox"/>	<input type="checkbox"/>	K. Voisard <u>K. Voisard</u> <u>11/19/2019</u> Environmental Monitoring, Data Management and Reporting Date	<input type="checkbox"/>	<input type="checkbox"/>	Other Date

Revision Required Yes No **Document No. and Title:** _____

Distribution	<input checked="" type="checkbox"/> Records Management	<input checked="" type="checkbox"/> EPA
	<input checked="" type="checkbox"/> Post to Web Page	<input checked="" type="checkbox"/> Ohio EPA

Variance

Variance number: 2020-04 **Significant:** Yes No
Document number: LMS/FER/S04396-12.0 **Page:** 1 of 1
Document title: Fernald Preserve Comprehensive Legacy Management and Institutional Controls Plan, PCCIP **Date:** 9/18/2019

Variance

Requirements: Per PCCIP, Section 3.3, OSDF As-Built (Page 20).

"To support each CERCLA Five-Year Review, aerial surveys of the site will be conducted via light detection and ranging (lidar) or equivalent technology every 5 years, beginning in 2019. These aerial surveys will allow for comparison of topography over time to detect changes in the OSDF cap that may not be observable during field walkdowns."

Variance:

"To support each CERCLA Five-Year Review, aerial surveys of the site will be conducted via light detection and ranging (lidar) or equivalent technology every 5 years, beginning in 2019 **the spring of 2020 after the prescribed burn of the northern half of the cell cap.** These aerial surveys will allow for comparison of topography over time to detect changes in the OSDF cap that may not be observable during field walkdowns."

Justification:

Postponing the lidar survey of the OSDF to support the CERCLA Five-Year Review in spring 2020 after the prescribed burn will allow a better survey to be completed.

Requested By: John Homer  **Date:** 9-10-2019

Variance Approvals

Variance Approvals

Required

Yes	No	K. Fritts	<u>K. Fritts</u>	<u>9/12/19</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>		Quality Assurance	Date
<input checked="" type="checkbox"/>	<input type="checkbox"/>	W. Hertel	<u>W. Hertel</u>	<u>9/18/19</u>
			Project Manager	Date
<input type="checkbox"/>	<input checked="" type="checkbox"/>		Laboratory Technical Representative	Date
<input checked="" type="checkbox"/>	<input type="checkbox"/>	K. Voisard	<u>K. Voisard</u>	<u>9/12/19</u>
			Environmental Monitoring, Data Management and Reporting	Date

Required

Yes	No	M. Sizemore	<u>Mary Sizemore</u>	<u>9/12-19</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>		Environmental Compliance	Date
<input type="checkbox"/>	<input checked="" type="checkbox"/>		Environmental Sampling	Date
<input type="checkbox"/>	<input checked="" type="checkbox"/>		Aquifer Restoration	Date
<input type="checkbox"/>	<input type="checkbox"/>		Other	Date

Revision Required Yes No **Document No. and Title:** _____

Distribution

<input checked="" type="checkbox"/> Records Management	<input checked="" type="checkbox"/> EPA
<input checked="" type="checkbox"/> Post to Web Page	<input checked="" type="checkbox"/> Ohio EPA

Variance

Variance number: 2020-05 **Significant:** Yes No
Document number: LMS/FER/S04396-12.0 **Page:** 1 of 1
Document title: Fernald Preserve Comprehensive Legacy Management and Institutional Controls Plan, GWLMP **Date:** 11-19-19

Variance

Requirements: Per GWLMP, Section 3.2.2, Leachate Monitoring Compliance Strategy (Page 26):

"The monthly volume of leachate collected for treatment and subsequent disposal will be obtained based on the program in 40 CFR 264.303(c) to determine the flow rates of leachate collected in the LCS and water in the LDS. Monitoring the flow rates will provide data for determining the volume of leachate collected and will also provide data pertinent to the leak detection monitoring program. The flow rates are part of the leak detection monitoring program and are discussed further in Section 4.0. A separate leachate management monitoring strategy is provided as Section 5.0 to provide information on the method of leachate treatment and disposal, including analysis of parameters useful for leachate treatment."

Variance:

"The monthly volume of leachate collected **from the LCS** for treatment and subsequent disposal **discharge** will be obtained based on the program in 40 CFR 264.303(c) to determine the flow rates of leachate collected **in from the LCS and water in the LDS. In 2018 LDS flow rates and volumes had diminished such that no LDS automatic tank pump outs occurred in any cell. Beginning in 2019, the volume of water collected for treatment from the LDS will be obtained based on periodic pump outs of the LDS.** Monitoring the flow rates will provide data for determining the volume of leachate collected **in the LCS and water collected in the LDS** and will also provide data pertinent to the leak detection monitoring program. The flow rates are part of the leak detection monitoring program and are discussed further in Section 4.0. A separate leachate management monitoring strategy is provided as Section 5.0 to provide information on the method of leachate treatment and disposal, including analysis of parameters useful for leachate treatment."

Justification:

In 2018 LDS volumes had diminished such that no LDS automatic tank pump out occurred in any cell. LDS tanks for Cells 1,2,3,5, and 7 were too dry to collect semiannual samples so no pump out occurred in these LDS tanks in 2018, resulting in an accumulation rate of 0.0 gpad for Cells 1, 2,3, 5 and 7. The LDS tanks in Cells 4,6, and 8 accumulated enough water to collect routine semiannual samples in 2018; however, the volume of water accumulated in each of those LDS tanks during 2018 was very low, so accumulation rates had to be estimated by tracking the volume of water manually pumped out of each LDS tank and the amount of time between pump outs. This calculation was presented in the Fernald Preserve 2018 Site Environmental Report in Section A.5.1.2.

Requested By: Ken Broberg *Ken Broberg* **Date:** 11-19-19

Variance Approvals

Variance Approvals

Required				Required			
Yes	No	Signature	Date	Yes	No	Signature	Date
<input checked="" type="checkbox"/>	<input type="checkbox"/>	K. Fritts <i>K. Fritts</i>	<u>11-20-19</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	M. Sizemore <i>M. Sizemore</i>	<u>11.20.19</u>
		<i>Quality Assurance</i>	<i>Date</i>			<i>Environmental Compliance</i>	<i>Date</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	W. Hertel <i>W. Hertel</i>	<u>11/20/19</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
		<i>Project Manager</i>	<i>Date</i>			<i>Environmental Sampling</i>	<i>Date</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>			<input type="checkbox"/>	<input checked="" type="checkbox"/>		
		<i>Laboratory Technical Representative</i>	<i>Date</i>			<i>Aquifer Restoration</i>	<i>Date</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	K. Voisard <i>K. Voisard</i>	<u>11/19/19</u>	<input type="checkbox"/>	<input type="checkbox"/>		
		<i>Environmental Monitoring, Data Management and Reporting</i>	<i>Date</i>			<i>Other</i>	<i>Date</i>

Revision Required Yes No **Document No. and Title:** _____

Distribution	<input checked="" type="checkbox"/> Records Management	<input checked="" type="checkbox"/> EPA
	<input checked="" type="checkbox"/> Post to Web Page	<input checked="" type="checkbox"/> Ohio EPA

Variance

Variance number: 2020-06 **Significant:** Yes No
Document number: LMS/FER/S04396-12.0 **Page:** 1 of 1
Document title: Fernald Preserve Comprehensive Legacy Management and Institutional Controls Plan, GWLMP **Date:** 9/18/2019

Variance

Requirements: Per GWLMP, Section 4.4.2.1, Leachate Monitoring Compliance Strategy (Page 41):

"The volume of leachate pumped from the LCS/LDS tanks is recorded. Flow from each cell's LCS and LDS tanks is compiled daily and trended to provide an indication of changes in system performance. An average daily LDS flow rate (in gpad) is calculated from the monthly flow rate. Flow data are available to EPA and Ohio EPA on the Fernald Preserve website (<https://www.lm.doe.gov/Fernald/Downloads.aspx>) and are reported annually in the Site Environmental Report."

Variance:

"The volume of leachate pumped from the ~~each~~ **LCS/LDS tanks** is recorded. Flow from ~~each cell's LCS and LDS tanks~~ is compiled daily and trended to provide an indication of changes in system performance. **LDS flow rates are estimated by tracking the volume of water manually pumped out of each LDS tank and the amount of time between pump-outs.** An average daily LDS flow rate (in gpad) is calculated from the monthly flow rate. Flow data are available to EPA and Ohio EPA on the Fernald Preserve website (<https://www.lm.doe.gov/Fernald/Downloads.aspx>) and are reported annually in the Site Environmental Report."

Justification:

In 2018 LDS volumes had diminished such that no LDS automatic tank pump out occurred in any cell. LDS tanks for Cells 1,2,3,5, and 7 were too dry to collect semiannual samples so no pump out occurred in these LDS tanks in 2018, resulting in an accumulation rate of 0.0 gpad for Cells 1, 2,3, 5 and 7. The LDS tanks in Cells 4,6, and 8 accumulated enough water to collect routine semiannual samples in 2018; however, the volume of water accumulated in each of those LDS tanks during 2018 was very low, so accumulation rates had to be estimated by tracking the volume of water manually pumped out of each LDS tank and the amount of time between pump outs. This calculation was presented in the Fernald Preserve 2018 Site Environmental Report in Section A.5.1.2.

Requested By: Ken Broberg **Date:** _____

Variance Approvals

Variance Approvals

Required

Required

Yes	No	K. Fritts	<u>K. Fritts</u>	<u>9/12/19</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>		Quality Assurance	Date
<input checked="" type="checkbox"/>	<input type="checkbox"/>	W. Hertel	<u>W. Hertel</u>	<u>9/18/19</u>
			Project Manager	Date
<input type="checkbox"/>	<input checked="" type="checkbox"/>		Laboratory Technical Representative	Date
<input checked="" type="checkbox"/>	<input type="checkbox"/>	K. Voisard	<u>K. Voisard</u>	<u>9/12/19</u>
			Environmental Monitoring, Data Management and Reporting	Date

Yes	No	M. Sizemore	<u>M. Sizemore</u>	<u>9-12-19</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>		Environmental Compliance	Date
<input type="checkbox"/>	<input checked="" type="checkbox"/>		Environmental Sampling	Date
<input type="checkbox"/>	<input checked="" type="checkbox"/>		Aquifer Restoration	Date
<input type="checkbox"/>	<input type="checkbox"/>		Other	Date

Revision Required Yes No **Document No. and Title:** _____

Distribution
 Records Management EPA
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Variance

Variance number: 2020-07 **Significant:** Yes No
Document number: LMS/FER/S04396-12.0 **Page:** 1 of 1
Document title: Fernald Preserve Comprehensive Legacy Management and Institutional Controls Plan, Community Involvement Plan **Date:** 11/19/2019

Variance

Requirements:

Appendix A (Contact List) of the Community Involvement Plan provides contact information for federal, state and local elected officials.

Variance: Appendix A (Contact List) updated following the November 2019 election results is attached.

Justification: November 2019 election outcomes as well as one retirement resulted in updates to three State of Ohio Elected Officials:

- District 8, Ohio Senator,
- District 29, Ohio House of Representatives, and
- District 53, Ohio House of Representatives.

Requested By: Penny Borgman *[Signature]* **Date:** 11/19/2019

Variance Approvals

Variance Approvals

Required			Required		
Yes	No		Yes	No	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Quality Assurance</u> <u>Date</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Environmental Compliance</u> <u>Date</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>W. Hertel</u> <i>[Signature]</i> <u>11/20/19</u> <u>Project Manager</u> <u>Date</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Environmental Sampling</u> <u>Date</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Laboratory Technical Representative</u> <u>Date</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Aquifer Restoration</u> <u>Date</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>K. Voisard</u> <i>[Signature]</i> <u>11/19/2019</u> <u>Environmental Monitoring, Data Management and Reporting</u> <u>Date</u>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Other</u> <u>Date</u>

Revision Required Yes No **Document Title:** _____

Distribution Records Management EPA
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Appendix A
Contact List

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Site Contact Information	
Legacy Management 24-Hour Monitored Security Telephone Number (877) 695-5322 or (513) 910-6107	
Administrative Record Assistance (https://www.lm.doe.gov/CERCLA_Home.aspx) (513) 648-3106	
U.S. Department of Energy (DOE)	
DOE Office of Legacy Management	
Carmelo Melendez U.S. Department of Energy LM-1 1000 Independence Ave., S.W. Washington, D.C. 20585 Email: carmelo.melendez@lm.doe.gov	Susan Smiley Office of Legacy Management Fernald Preserve Manager U.S. Department of Energy 10995 Hamilton-Cleves Highway Harrison, OH 45030-9728 (513) 648-3333 Email: sue.smiley@lm.doe.gov
U.S. Environmental Protection Agency	Ohio Environmental Protection Agency
David Seely Remedial Project Manager U.S. Environmental Protection Agency, Region 5 (SR-6J) 77 W. Jackson Blvd. Chicago, IL 60604-3590 (312) 886-7058 Email: seely.david@epa.gov	Laura Hafer Fernald Project Coordinator Ohio Environmental Protection Agency 401 East 5th Street Dayton, OH 45402-2911 (937) 285-6455 Email: Laura.Hafer@epa.ohio.gov Website: www.epa.ohio.gov
Federal Elected Officials	
Ohio	
The Honorable Sherrod Brown, Senator United States Senate 503 Hart Senate Office Building Washington, D.C. 20510-3505 (202) 224-2315 Email: Contact via Web Form: www.brown.senate.gov/contact/	The Honorable Rob Portman, Senator United States Senate 448 Russell Senate Office Building Washington, D.C. 20510-3506 (202) 224-3353 Email: Contact via Web Form: https://www.portman.senate.gov/public/index.cfm/contact-form
The Honorable Steve Chabot, Representative U.S. House of Representatives 2408 Rayburn House Office Building Washington, D.C. 20515-3501 (202) 225-2216 Email: Contact via Web Form: https://chabot.house.gov/contact/	The Honorable Warren Davidson, Representative U.S. House of Representatives 1004 Longworth House Office Building Washington, D.C. 20515-0001 (202) 225-6205 Email: Contact via Web Form: https://davidson.house.gov/contact/email

State Elected Officials	
State of Ohio	
<p>The Honorable Mike Dewine, Governor of Ohio Riffe Center, 30th Floor 77 S. High Street Columbus, OH 43215-6117 (614) 466-3555 Email: Contact via Web Form: http://www.governor.ohio.gov/Contact/ContacttheGovernor.aspx</p>	<p>The Honorable Jon Husted, Lt. Governor of Ohio Riffe Center, 30th Floor 77 S. High Street Columbus, OH 43215-6117 (614) 466-3555 Email: Contact via Web Form: http://www.governor.ohio.gov/Contact/ContacttheGovernor.aspx</p>
<p>The Honorable Louis W. Blessing III, Senator Ohio Senate – District 8 Senate Building 1 Capitol Square, Ground Floor Columbus, OH 43215-4275 (614) 466-8068 Email: Contact via Web Form: http://www.ohiosenate.gov/senators/blessing/contact</p>	<p>The Honorable William P. Coley, Senator Ohio Senate – District 4 Senate Building 1 Capitol Square, 1st Floor Columbus, OH 43215 (614) 466-8072 Email: Contact via Web Form: http://www.ohiosenate.gov/senators/coley/contact</p>
<p>The Honorable Cindy Abrams, Representative Ohio House of Representatives – District 29 77 S. High Street, 13th Floor Columbus, OH 43215 (614) 466-9091 Email: Contact via Web Form: http://www.ohiohouse.gov/cindy-abrams/contact</p>	<p>The Honorable Sara Carruthers, Representative Ohio House of Representatives – District 51 77 S. High Street, 13th Floor Columbus, OH 43215 1-800-282-0253 Email: Contact via Web Form: http://www.ohiohouse.gov/sara-carruthers/contact</p>
<p>The Honorable Candice R. Keller, Representative Ohio House of Representatives – District 53 77 S. High Street, 11th Floor Columbus, OH 43215 (614) 644-5094 Email: Contact via Web Form: http://www.ohiohouse.gov/candice-keller/contact</p>	
State of Indiana	
<p>The Honorable Eric Holcomb Governor of Indiana 200 West Washington Street, Room 206 Indianapolis, IN 46204-4567 (317) 232-4567 Email: Contact via Web Form: http://www.in.gov/gov/2752.htm</p>	

County and Local Elected Officials

<p>Mr. Todd Portune, Commissioner Hamilton County, Administration Building 138 East Court Street, Room 603 Cincinnati, OH 45202 (513) 946-4401 Email: todd.portune@hamilton-co.org</p>	<p>Ms. Denise Driehaus, Commissioner Hamilton County Administration Building 138 East Court Street, Room 603 Cincinnati, OH 45202 (513) 946-4406 Email: denise.driehaus@hamilton-co.org</p>
<p>Ms. Stephanie Summerow Dumas, Commissioner Hamilton County Administration Building 138 East Court Street, Room 603 Cincinnati, OH 45202 (513) 946-4410 Email: stephanie.dumas@hamilton-co.org</p>	<p>Mr. Timothy C. Rogers, Commissioner Butler County, Government Services Center 315 High St., 6th floor Hamilton, OH 45011 (513) 887-3247 Email: rogerst@butlercountyohio.org</p>
<p>Ms. Cindy Carpenter, Commissioner Butler County Government Services Center 315 High St., 6th floor Hamilton, OH 45011 (513) 887-3247 Email: carpenterc@butlercountyohio.org</p>	<p>Mr. Donald L. Dixon, Commissioner Butler County Government Services Center 315 High St., 6th floor Hamilton, OH 45011 (513) 887-3247 Email: dixond@butlercountyohio.org</p>
<p>Mr. Chris Dole Crosby Township 8910 Willey Road Harrison, OH 45030 (513) 317-2861 Email: cdole@crosbytpw.org</p>	<p>Mr. Brett Updike Morgan Township 3141 Chapel Road, Box 1 Okeana, OH 45053 (513) 678-1965 Email: bupdike@morgantownship.org</p>
<p>Mr. Dennis Conrad, Jr. Reily Township 6093 Reily Millville Road Oxford, OH 45056 (513) 623-4475 No email address available</p>	<p>Mr. Tom Willsey Ross Township 3421 New London Road Hamilton, OH 45013 (513) 738-2409 Email: twillsey@rosstwp.org</p>

<i>Health Departments</i>	
Hamilton County Public Health 250 William Howard Taft, 2nd Floor Cincinnati, OH 45219 (513) 946-7800	Butler County Health Department 301 South 3rd Street Hamilton, OH 45011 (513) 863-1770
Mr. Stephen Helmer Ohio Department of Health Bureau of Environmental Health and Radiation Protection 246 North High St. Columbus, OH 43215 (614) 644-2727 Email: BRadiation@odh.ohio.gov or Stephen.helmer@odh.ohio.gov	
<i>Environmental/Interest Groups</i>	
Fernald Community Alliance Graham Mitchell President 6104 Chappelfield Dr. West Chester, OH 45069-6447 (513) 777-0212 Email: grahamitchell@gmail.com http://fernaldcommunityalliance.org/	

Variance

Variance number: 2021-01 **Significant:** Yes No
Document number: LMS/FER/S04396-12.0 **Page:** 1 of 1
Document title: Fernald Preserve Comprehensive Legacy Management and Institutional Controls Plan, On-Site Disposal Facility Post-Closure Care and Inspection Plan (PCCIP) **Date:** 12/15/2020

Variance

Requirements: Per PCCIP, Section 3.3, OSDF As-Built (Page 20).

“To support each CERCLA Five-Year Review, aerial surveys of the site will be conducted via light detection and ranging (lidar) or equivalent technology every 5 years, beginning in 2019. These aerial surveys will allow for comparison of topography over time to detect changes in the OSDF cap that may not be observable during field walkdowns.”

Variance:

To support each CERCLA Five Year Review, ~~aerial surveys of the site will be conducted via light detection and ranging (lidar) or equivalent technology every 5 years, beginning in 2019~~ **shortly after the prescribed burn of the vegetated OSDF cap. Lidar surveys are planned to occur every 4 to 6 years, following an OSDF cap burn. Prescribed burns of the OSDF are scheduled to take place every other year. Implementation of both prescribed burns and lidar surveys is dependent on weather.** These aerial surveys will allow for comparison of topography over time to detect changes in the OSDF cap that may not be observable during field walkdowns. **Data from these aerial surveys will be used to supplement the field walkdowns.**

Justification:

Because the data collection is not only dependent on the timing of the OSDF vegetative cap prescribed burn, it is also highly dependent upon weather and other field conditions. LM planned to conduct an aerial survey beginning in 2019 and 2020, but due to delays as a result of implementation of an overall aviation quality assurance and safety program to support the lidar team and COVID-19 pandemic resource issues during that timeframe, a survey has yet to be completed.

Requested By: John Homer John J. Homer Digitally signed by John J. Homer
Date: 2020.12.15 13:40:39 -05'00' **Date:** 12/15/2020

Variance Approvals

Variance Approvals

Required			Required		
Yes	No		Yes	No	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>K. Fritts</u> <u>KATHLEEN FRITTS</u> <small>Digitally signed by KATHLEEN FRITTS (Affiliate) Date: 2020.12.15 13:25:52 -05'00'</small> <i>Quality Assurance</i> <i>Date</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>M. Sizemore</u> <u>MARY SIZEMORE</u> <small>Digitally signed by MARY SIZEMORE (Affiliate) Date: 2020.12.15 11:27:09 -05'00'</small> <i>Environmental Compliance</i> <i>Date</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>J. Homer</u> <u>John J. Homer</u> <small>Digitally signed by John J. Homer Date: 2020.12.15 11:07:37 -05'00'</small> <i>Project Manager</i> <i>Date</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Environmental Sampling</i> <i>Date</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Laboratory Technical Representative</i> <i>Date</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Aquifer Restoration</i> <i>Date</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>K. Voisard</u> <u>KAREN VOISARD</u> <small>Digitally signed by KAREN VOISARD (Affiliate) Date: 2020.12.15 10:47:44 -05'00'</small> <i>Environmental Monitoring, Data Management and Reporting</i> <i>Date</i>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Other</i> <i>Date</i>

Revision Required Yes No **Document No. and Title:** _____

Distribution Records Management EPA
 Post to Web Page Ohio EPA

Variance

Variance number: <u>2021-02</u>	Significant: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Document number: <u>LMS/FER/S04396-12.0</u>	Page: <u>1</u> of <u>1</u>
Document title: <u>Fernald Preserve Comprehensive Legacy Management and Institutional Controls Plan, Community Involvement Plan</u>	Date: <u>12/15/2020</u>

Variance

Requirements:

Appendix A (Contact List) of the Community Involvement Plan provides contact information for federal, state and local elected officials.

Variance: Appendix A (Contact List) updated to incorporate the November 2020 election results is attached. The address for the Fernald Community Alliance contact and an alternate DOE site manager were also provided.

Justification: November 2020 election resulted in updates to elected officials:

- District 4, Ohio Senator
- District 53, Ohio House of Representatives
- Hamilton County Commissioner
- Crosby Township Trustee

Requested By: <u>Karen Voisard</u>	<u>KAREN VOISARD</u> <small>Digitally signed by KAREN VOISARD (Affiliate) Date: 2020.12.15 10:51:08 -05'00'</small>	Date: <u>12/15/2020</u>
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Variance Approvals

Variance Approvals

Required				Required			
Yes	No			Yes	No		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Quality Assurance</u>	<u>Date</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Environmental Compliance</u>	<u>Date</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>John J. Homer</u> <small>Digitally signed by John J. Homer Date: 2020.12.15 11:06:13 -05'00'</small>	<u>Date</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Environmental Sampling</u>	<u>Date</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Laboratory Technical Representative</u>	<u>Date</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Aquifer Restoration</u>	<u>Date</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>K. Voisard</u> <small>Digitally signed by KAREN VOISARD (Affiliate) Date: 2020.12.15 10:44 -05'00'</small>	<u>Date</u>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Other</u>	<u>Date</u>
		<u>Environmental Monitoring, Data Management and Reporting</u>	<u>Date</u>				

Revision Required Yes No **Document Title:** _____

Distribution	<input checked="" type="checkbox"/> Records Management <input checked="" type="checkbox"/> EPA <input checked="" type="checkbox"/> Post to Web Page <input checked="" type="checkbox"/> Ohio EPA
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Appendix A
Contact List

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Site Contact Information	
Legacy Management 24-Hour Monitored Security Telephone Number (877) 695-5322 or (513) 910-6107	
Administrative Record Assistance (https://www.lm.doe.gov/CERCLA_Home.aspx) (513) 648-3106	
U.S. Department of Energy (DOE)	
DOE Office of Legacy Management	
Carmelo Melendez U.S. Department of Energy LM-1 1000 Independence Ave., S.W. Washington, D.C. 20585 Email: carmelo.melendez@lm.doe.gov	Susan Smiley Office of Legacy Management Fernald Preserve Manager U.S. Department of Energy 10995 Hamilton-Cleves Highway Harrison, OH 45030-9728 (513) 648-3333 Email: sue.smiley@lm.doe.gov Alternate Site Manager: Brian Zimmerman (513) 648-3340 Email: brian.zimmerman@lm.doe.gov
U.S. Environmental Protection Agency	Ohio Environmental Protection Agency
David Seely Remedial Project Manager U.S. Environmental Protection Agency, Region 5 (SR-6J) 77 W. Jackson Blvd. Chicago, IL 60604-3590 (312) 886-7058 Email: seely.david@epa.gov	Laura Hafer Fernald Project Coordinator Ohio Environmental Protection Agency 401 East 5th Street Dayton, OH 45402-2911 (937) 285-6455 Email: Laura.Hafer@epa.ohio.gov Website: www.epa.ohio.gov
Federal Elected Officials	
Ohio	
The Honorable Sherrod Brown, Senator United States Senate 503 Hart Senate Office Building Washington, D.C. 20510-3505 (202) 224-2315 Email: Contact via Web Form: www.brown.senate.gov/contact/	The Honorable Rob Portman, Senator United States Senate 448 Russell Senate Office Building Washington, D.C. 20510-3506 (202) 224-3353 Email: Contact via Web Form: https://www.portman.senate.gov/public/index.cfm/contact-form
The Honorable Steve Chabot, Representative U.S. House of Representatives 2408 Rayburn House Office Building Washington, D.C. 20515-3501 (202) 225-2216 Email: Contact via Web Form: https://chabot.house.gov/contact/	The Honorable Warren Davidson, Representative U.S. House of Representatives 1004 Longworth House Office Building Washington, D.C. 20515-0001 (202) 225-6205 Email: Contact via Web Form: https://davidson.house.gov/contact/email

State Elected Officials

State of Ohio

<p>The Honorable Mike DeWine, Governor of Ohio Riffe Center, 30th Floor 77 S. High Street Columbus, OH 43215-6117 (614) 466-3555 Email: Contact via Web Form: http://www.governor.ohio.gov/Contact/ContacttheGovernor.aspx</p>	<p>The Honorable Jon Husted, Lt. Governor of Ohio Riffe Center, 30th Floor 77 S. High Street Columbus, OH 43215-6117 (614) 466-3555 Email: Contact via Web Form: http://www.governor.ohio.gov/Contact/ContacttheGovernor.aspx</p>
<p>The Honorable Louis W. Blessing III, Senator Ohio Senate – District 8 Senate Building 1 Capitol Square, Ground Floor Columbus, OH 43215-4275 (614) 466-8068 Email: Contact via Web Form: http://www.ohiosenate.gov/senators/blessing/contact</p>	<p>The Honorable George Lan, Senator Ohio Senate – District 4 Senate Building 1 Capitol Square, 1st Floor Columbus, OH 43215 (614) 466-8072 Email: Contact via Web Form: http://www.ohiosenate.gov/senators/lang/contact</p>
<p>The Honorable Cindy Abrams, Representative Ohio House of Representatives – District 29 77 S. High Street, 13th Floor Columbus, OH 43215 (614) 466-9091 Email: Contact via Web Form: http://www.ohiohouse.gov/cindy-abrams/contact</p>	<p>The Honorable Sara Carruthers, Representative Ohio House of Representatives – District 51 77 S. High Street, 13th Floor Columbus, OH 43215 1-800-282-0253 Email: Contact via Web Form: http://www.ohiohouse.gov/sara-carruthers/contact</p>
<p>The Honorable Thomas Hall, Representative Ohio House of Representatives – District 53 77 S. High Street, 11th Floor Columbus, OH 43215 (614) 644-5094 Email: Contact via Web Form: http://www.ohiohouse.gov/thomas-hall/contact</p>	

State of Indiana

<p>The Honorable Eric Holcomb Governor of Indiana 200 West Washington Street, Room 206 Indianapolis, IN 46204-4567 (317) 232-4567 Email: Contact via Web Form: http://www.in.gov/gov/2752.htm</p>	
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<i>County and Local Elected Officials</i>	
<p>Ms. Alicia Reece, Commissioner Hamilton County, Administration Building 138 East Court Street, Room 603 Cincinnati, OH 45202 (513) 946-4401 Email: alicia.reece@hamilton-co.org</p>	<p>Ms. Denise Driehaus, Commissioner Hamilton County Administration Building 138 East Court Street, Room 603 Cincinnati, OH 45202 (513) 946-4406 Email: denise.driehaus@hamilton-co.org</p>
<p>Ms. Stephanie Summerow Dumas, Commissioner Hamilton County Administration Building 138 East Court Street, Room 603 Cincinnati, OH 45202 (513) 946-4410 Email: stephanie.dumas@hamilton-co.org</p>	<p>Mr. Timothy C. Rogers, Commissioner Butler County, Government Services Center 315 High St., 6th floor Hamilton, OH 45011 (513) 887-3247 Email: rogerst@butlercountyohio.org</p>
<p>Ms. Cindy Carpenter, Commissioner Butler County Government Services Center 315 High St., 6th floor Hamilton, OH 45011 (513) 887-3247 Email: carpenterc@butlercountyohio.org</p>	<p>Mr. Donald L. Dixon, Commissioner Butler County Government Services Center 315 High St., 6th floor Hamilton, OH 45011 (513) 887-3247 Email: dixond@butlercountyohio.org</p>
<p>Mr. Dennis Heyob Crosby Township 8910 Willey Road Harrison, OH 45030 (513) 317-2861 Email: dheyob@crosbytpw.org</p>	<p>Mr. Brett Updike Morgan Township 3141 Chapel Road, Box 1 Okeana, OH 45053 (513) 678-1965 Email: bupdike@morgantownship.org</p>
<p>Mr. Dennis Conrad, Jr. Reily Township 6093 Reily Millville Road Oxford, OH 45056 (513) 623-4475 No email address available</p>	<p>Mr. Tom Willsey Ross Township 3421 New London Road Hamilton, OH 45013 (513) 738-2409 Email: twillsey@rosstwp.org</p>

<i>Health Departments</i>	
<p>Hamilton County Public Health 250 William Howard Taft, 2nd Floor Cincinnati, OH 45219 (513) 946-7800</p>	<p>Butler County Health Department 301 South 3rd Street Hamilton, OH 45011 (513) 863-1770</p>
<p>Mr. Stephen Helmer Ohio Department of Health Bureau of Environmental Health and Radiation Protection 246 North High St. Columbus, OH 43215 (614) 644-2727 Email: BRadiation@odh.ohio.gov or Stephen.helmer@odh.ohio.gov</p>	
<i>Environmental/Interest Groups</i>	
<p>Fernald Community Alliance Graham Mitchell President 9425 Chardon Circle, Apartment 105 West Chester, OH 45069 (513) 777-0212 Email: grahamitchell@gmail.com http://fernaldcommunityalliance.org/</p>	