



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

PROD 7539

December 8, 2016

Ms. Sue Smiley
Fernald Preserve Manager
U.S. Department of Energy
Office of Legacy Management
10995 Hamilton-Cleves Highway
Harrison, Ohio 45030

Re: US DOE Fernald Environmental Mgmt Project
Remediation Response
Project records
Remedial Response
Hamilton County
531000297001

Subject: Comments - Comprehensive Legacy Management and Institutional Control Plan, Volumes I & II, Rev 10, Dated September 2016

Dear Ms. Smiley:

The Ohio Environmental Protection Agency (Ohio EPA) has received and reviewed the "Comprehensive Legacy Management and Institutional Control Plan" dated September 2016. Ohio EPA's official comments are enclosed.

If there are any questions, please contact me at (937) 285-6466.

Sincerely,

A handwritten signature in blue ink, appearing to read "TAS", is written over a light blue horizontal line.

Thomas A. Schneider
Fernald Project Manager
Division of Environmental Response and Revitalization – Federal Facilities Section

TAS/lis

Enclosure

ec: David Seely, U.S. EPA
Bill Hertel, Navarro, Inc.

**Comprehensive Legacy Management and Institutional Control Plan
Volumes I and II
Revision 10, September 2016**

Volume I

1. Commenting Organization: Ohio Environmental Protection Agency (Ohio EPA)

Section #: 2.4.5 Pg #: 16

Comment: Retain the last sentence of the second paragraph, "The information made available at the center also serves as an institutional control." Institutional controls are an important aspect of the Visitors Center.

Response:

Action:

2. Commenting Organization: Ohio EPA

Section #: 4.4 Pg #: 26

Comment: Add to the end of this paragraph that the next Five-Year Review will be completed in 2021.

Response:

Action:

Volume II

1. Commenting Organization: Ohio EPA

Section #: ICP 3.0 Pg #: 23

Comment: The third paragraph should be explained. In the sentence "the new values slightly increased the risk", the values should be further defined so as not to confuse the reader.

Response:

Action:

2. Commenting Organization: Ohio EPA

Section #: ICP 5.1 Pg #: 41

Comment: Retain the phrase "For institutional control purposes," in the first sentence of the second paragraph.

Response:

Action:

Attachment A

3. Commenting Organization: Ohio EPA

Section #: 1.2 Pg #: 4

Comment: In the second sentence of this paragraph, change "are scheduled to begin in the fall 2016" to "began in the fall 2016."

Response:

Action:

**Comprehensive Legacy Management and Institutional Control Plan
Volumes I and II
Revision 10, September 2016**

4. Commenting Organization: Ohio EPA

Section #: 1.2 Pg #: 3

Comment: Ohio EPA does have requirements under Ohio Administrative Code (OAC) 3745-42 for a Permit-to-Install (PTI) for any wastewater treatment system. The changes underway at the Converted Advanced Waste Water Treatment (CAWWT) facility may trigger a PTI if the new system is substantially different through sizing, treatment, etc. Depending upon that assessment for PTI, it may or may not trigger the need for a National Pollutant Discharge Elimination System (NPDES) permit modification.

Response:

Action:

Attachment B

5. Commenting Organization: Ohio EPA

Section #: 6.2.1.2 Pg #: 32

Comment: The second sentence of the second paragraph is worded funny. Replace the words "will have" with the word "with" in order for the sentence to flow.

Response:

Action:

Attachment D

6. Commenting Organization: Ohio EPA

Section #: 2.0 Pg #: 7

Comment: Retain the sentence "Adequate staff will remain at the site to continue to meet regulatory and OU5 commitments."

Response:

Action: