



Department of Energy
Washington, DC 20585

May 11, 2017

Mr. David Seely
U.S. Environmental Protection Agency
Region 5-SRF-6J
77 W. Jackson Blvd.
Chicago, IL 60604-3590

Mr. Thomas Schneider, Project Manager
Ohio Environmental Protection Agency
Southwest District Office
401 East Fifth Street
Dayton, OH 45402-2911

Jennifer Finfera
U.S. Fish and Wildlife Service
4625 Morse Road, Suite 104
Columbus, OH 43230

Dear Mr. Seely, Mr. Schneider, and Ms. Finfera:

SUBJECT: Transmittal of Final Comprehensive Legacy Management and Institutional Controls Plan, Revision 10

- Reference:**
- 1) Letter, S. Smiley to D. Seely, T. Schneider, and J. Finfera, "Transmittal of Responses to Ohio Environmental Protection Agency Comments on Fernald Preserve Comprehensive Legacy Management and Institutional Controls Plan, Revision 10, Draft", dated December 20, 2016.
 - 2) Letter, T. Schneider to S. Smiley, "Approval-Comprehensive Legacy Management and Institutional Control Plan, Volumes I & II, REV 10, dated September 2016", dated December 21, 2016.

This letter transmits the final Fernald Preserve Comprehensive Legacy Management and Institutional Controls Plan (LMICP), Revision 10, to the United States Environmental Protection Agency (EPA), Ohio EPA, and the U. S. Fish and Wildlife Service.



Mr. Timothy Fischer
Mr. Thomas Schneider
Ms. Jennifer Finfera
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Based on several discussions with EPA and Ohio EPA (Reference 1), DOE planned to issue the LMICP, Revision 10, upon regulator approval of the responses to Ohio EPA comments. The goal was to issue the final LMICP by January 31, 2017 (Reference 1). Approval from Ohio EPA was received on December 21, 2016 (Reference 2); however, DOE delayed issuing the LMICP until receipt of either written comments or approval from EPA. To date, EPA has not provided written comments or approval, therefore, DOE is proceeding with distribution of the attached document as final, to include posting to the DOE Fernald public website and placement in the CERCLA Administrative Record. Should EPA subsequently provide comments on the attached LMICP, Revision 10, those comments will either be addressed this calendar year (CY) via the established variance process or will be considered during development of the CY 2018 LMICP, as appropriate.

If you have any questions, please call me at (513) 648-3333. Please send any correspondence to:

U.S. Department of Energy
Office of Legacy Management
10995 Hamilton-Cleves Hwy.
Harrison, OH 45030

Sincerely,

**SUSAN
SMILEY**

Susan Smiley
Fernald Preserve Manager
DOE-LM-20.2

Digitally signed by SUSAN SMILEY
DN: c=US, o=U.S. Government,
ou=Department of Energy,
cn=SUSAN SMILEY,
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Date: 2017.05.11 16:31:39 -0400

Enclosure

cc w/enclosure:
S. Helmer, ODH
T. Schneider, Ohio EPA (3 copies)
Project Record File FER030.1(A) (through M. Korte)

cc w/o enclosure:
(electronic)
G. Hooten, DOE
B. Hertel, Navarro
K. Voisard, Navarro
C. White, Navarro