



LEGAL NOTICE for Mound Site 2021 CERCLA Five-Year Review

The U.S. Department of Energy (DOE) Office of Legacy Management (LM) is conducting the fifth Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Five-Year Review of the Mound site in Miamisburg, Ohio. The Five-Year Review process ensures that the selected CERCLA remedies remain protective of human health and the environment.

After the Mound Plant Site was placed on the CERCLA National Priorities List in 1989, DOE signed a CERCLA Section 120 Federal Facility Agreement with the U.S. Environmental Protection Agency (EPA) in October 1990 and a tripartite agreement among the DOE, EPA, and Ohio EPA in 1993. The site was divided into sections and remediated to EPA's risk-based standards for industrial use only. The entire site is being transferred to the Mound Development Corporation (MDC) for reuse as a privately operated business park.

The selected CERCLA remedies for the Mound site are:

- Collection and treatment of volatile organic compound-contaminated groundwater via pump and treat system and discharge of treated water, which controls the migration of contaminated groundwater in the Operable Unit 1 (OU-1) area through hydraulic capture.
- Control of surface water in the OU-1 area and long-term groundwater monitoring are part of the OU-1 remedy.
- Monitored natural attenuation for trichloroethylene (TCE) in the Phase 1 parcel and for TCE and tritium within the Main Hill Seeps in the main hill bedrock groundwater system.
- Institutional controls (ICs).

DOE monitors the groundwater to verify that contamination is not impacting the Buried Valley Aquifer and that contaminant concentrations are decreasing to levels below the Safe Drinking Water Act Maximum Contaminant Level. Groundwater monitoring plans for each remedy are approved by the regulators.

ICs are legal and administrative tools incorporated into deed restrictions on future land and groundwater use for protecting human health and the environment. Mound site ICs are designed to:

1. Prohibit the removal of soil from the original DOE Mound Plant Property boundaries, unless prior written approval from Ohio EPA and Ohio Department of Health (ODH) has been obtained.
2. Prohibit the extraction or consumption of, exposure to, or the use in any way of groundwater underlying the premises, unless prior written approval from EPA and Ohio EPA has been obtained.
3. Limit land use to industrial/commercial use only. Each parcel Record of Decision identifies land uses that will not be permitted, but the list is not all-inclusive. Parcels may not be used for any residential or farming activities, or any activities that could result in the chronic exposure of children less than 18 years of age to soil or groundwater from the premises. Restricted uses include, but are not limited to:
 - Single or multifamily dwellings or rental units.
 - Daycare facilities.

- Schools or other educational facilities for children less than 18 years of age.
 - Community centers, playgrounds, or other recreational or religious facilities for children less than 18 years of age.
4. Prohibit the removal of concrete floor material in specified rooms of T Building to offsite locations without prior written approval from EPA, Ohio EPA, and ODH.
 5. Prohibit the penetration of concrete floors in specified rooms of T Building without prior written approval from EPA, Ohio EPA, and ODH.
 6. Allow site access to federal and state agencies for sampling and monitoring.

Between January and June 2021, DOE will review relevant documents and data; conduct site inspections with regulators, MDC, and the city of Miamisburg; interview local stakeholders; and develop a report detailing the results. DOE will post a public notice when the report is available for public review and comment on the LM website at www.energy.gov/lm/mound-ohio-site-cercla-five-year-review.

DOE invites the public to learn more about the review process and contribute information by completing the survey on the website at www.energy.gov/lm/mound-ohio-site.

Information on the CERCLA Five-Year Review process is also available at the U.S. Environmental Protection Agency website www.epa.gov/superfund/cleanup/postconstruction/5yr.htm or by contacting:

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