

Appendix H

Public Review: NOA, Newspaper Ads, and Comments Received

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NOTICE OF AVAILABILITY

This notification is provided pursuant to the National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act (NHPA). The U.S. Department of Energy (DOE) has issued a draft Environmental Assessment (DOE/EA-2107) that analyzes and describes the potential environmental impacts associated with proposed actions at the Piqua, Ohio, Decommissioned Reactor Site in Miami County.

DOE's preferred alternative to demolish the buildings and maintain protectiveness of the entombed low-level radiological waste materials would result in an adverse effect to historic property. DOE has initiated historic preservation consultation under Section 106 of the NHPA of 1966.

The draft EA is available for public review at www.energy.gov/nepa/doeea-2107-proposed-demolition-buildings-piqua-ohio-decommissioned-reactor-site-miami-county. Site information is available at www.energy.gov/lm/piqua-ohio-decommissioned-reactor-site.

Written comments for this draft EA should be submitted no later than Sept. 19, 2021. Please direct comments via U.S. mail or email to:

Brian Zimmerman
10995 Hamilton-Cleves Hwy.
Harrison, OH 45030
Piqua@lm.doe.gov



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**PROPOSED DEMOLITION OF THE BUILDINGS AT THE
PIQUA, OHIO, DECOMMISSIONED REACTOR SITE**

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Notice of Availability

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All Categories (697)

- > Announcements (4)
- > Auctions (10)
- > Automotive (32)
- > Business Opportunity (1)
- > Celebrations (23)
- > Funeral Services (1)
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 - > Legal - Family Law (6)

Notice of Availability Proposed Demolition of the Buildings

Notice of Availability PROPOSED DEMOLITION OF THE BUILDINGS AT THE PIQUA, OHIO, DECOMMISSIONED REACTOR SITE This notification is provided pursuant to the National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act (NHPA). The U.S. Department of Energy (DOE) has issued a draft Environmental Assessment (DOE/EA-2107) that analyzes and describes the potential environmental impacts associated with proposed actions at the Piqua, Ohio, Decommissioned Reactor Site in Miami County. DOE's preferred alternative to demolish the buildings and maintain protectiveness of the entombed low-level radiological waste materials would result in an adverse effect to historic property. DOE has initiated historic preservation consultation under Section 106 of the NHPA of 1966. The draft EA is available for public review at <https://www.energy.gov/nepa/doeea-2107-proposed-demolition-buildings-piqua-ohio-decommissioned-reactor-site-miami-county>. Site information is available at Piqua, Ohio, Decommissioned Reactor Site | Department of Energy. Written comments for this draft EA should be submitted no later than September 19, 2021. Please direct comments via U.S. mail or email to: Brian Zimmerman 10995 Hamilton-Cleves Hwy. Harrison, OH 45030 Piqua@lm.doe.gov 8-20/2021

Ad Posted: August 20, 2021

Ad Expires: September 18, 2021

Ad Refreshed: September 9, 2021 11:05am

Dayton Daily News

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Publication URL:

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Publication County:
Montgomery

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Notice Keywords:
Department of Energy

Notice Authentication Number:
202109091025300432412
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Notice URL:

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Notice Publish Date:
Friday, August 20, 2021

Notice Content

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AFFP

Affidavit of Publication

STATE OF OHIO } SS
COUNTY OF MIAMI }

Diana Sleppy, being duly sworn, says:

That she is Customer Service/Sales of the MIAMI VALLEY TODAY, a daily newspaper of general circulation, printed and published in TROY, MIAMI County, OHIO; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

Aug 20, 2021

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Diana Sleppy

Subscribed to and sworn to me this 20th day of Aug 2021

Teresa S. Ketring
Teresa S. Ketring, MIAMI County, OHIO

My commission expires: April 1, 2024

\$ 203.80



Teresa S. Ketring
Notary Public, State of Ohio
My Comm. Exp. 4-1-24

50032994 90128782 970-712-3090

RSI EnTech
Rachel Ahrens
2597 Legacy Way

Grand Junction, CO 81503

Notice of Availability

PROPOSED DEMOLITION OF THE BUILDINGS AT THE PIQUA, OHIO, DECOMMISSIONED REACTOR SITE

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Brian Zimmerman
10995 Hamilton-Cleves Hwy.
Harrison, OH 45030
Piqua@lm.doe.gov

August 20
90128782 mvt



Ohio Department of Natural Resources

MIKE DeWINE, GOVERNOR

MARY MERTZ, DIRECTOR

Office of Real Estate

John Kessler, Chief

2045 Morse Road – Bldg. E-2

Columbus, OH 43229

Phone: (614) 265-6621

Fax: (614) 267-4764

September 17, 2021

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

Re: 21-0797; Piqua Ohio Decommissioned Reactor Site

Project: The proposed project involves demolishing the buildings and maintaining protectiveness of the entombed low-level radiological waste materials.

Location: The proposed project is located in Piqua, Miami County, Ohio.

The Ohio Department of Natural Resources (ODNR) has completed a review of the above referenced project. These comments were generated by an inter-disciplinary review within the Department. These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the National Environmental Policy Act, the Coastal Zone Management Act, Ohio Revised Code and other applicable laws and regulations. These comments are also based on ODNR's experience as the state natural resource management agency and do not supersede or replace the regulatory authority of any local, state or federal agency nor relieve the applicant of the obligation to comply with any local, state or federal laws or regulations.

Natural Heritage Database: The Natural Heritage Database has the following data at or within a one mile radius of the project area:

Elktoe (*Alasmodonta marginata*), SC
Western creek chubsucker (*Erimyzon claviformis*), SC

The review was performed on the project area specified in the request as well as an additional one mile radius. Records searched date from 1980. This information is provided to inform you of features present within your project area and vicinity. Additional comments on some of the features may be found in pertinent sections below.

Please note that Ohio has not been completely surveyed and we rely on receiving information from many sources. Therefore, a lack of records for any particular area is not a statement that rare species or unique features are absent from that area. Although all types of plant communities have been surveyed, we only maintain records on the highest quality areas.

Statuses are defined as: E = state endangered; T = state threatened; P = state potentially threatened; SC = state species of concern; SI = state special interest; U = state status under review; X = presumed extirpated in Ohio; FE = federal endangered, and FT = federal threatened.

Fish and Wildlife: The Division of Wildlife (DOW) has the following comments.

The DOW recommends that impacts to streams, wetlands and other water resources be avoided and minimized to the fullest extent possible, and that Best Management Practices be utilized to minimize erosion and sedimentation.

The entire state of Ohio is within the range of the Indiana bat (*Myotis sodalis*), a state endangered and federally endangered species, the northern long-eared bat (*Myotis septentrionalis*), a state endangered and federally threatened species, the little brown bat (*Myotis lucifugus*), a state endangered species, and the tricolored bat (*Perimyotis subflavus*), a state endangered species. During the spring and summer (April 1 through September 30), these species of bats predominately roost in trees behind loose, exfoliating bark, in crevices and cavities, or in the leaves. However, these species are also dependent on the forest structure surrounding roost trees. If trees are present within the project area, and trees must be cut, the DOW recommends cutting only occur from October 1 through March 31, conserving trees with loose, shaggy bark and/or crevices, holes, or cavities, as well as trees with DBH ≥ 20 if possible. If trees are present within the project area, and trees must be cut during the summer months, the DOW recommends a mist net survey or acoustic survey be conducted from June 1 through August 15, prior to any cutting. Mist net and acoustic surveys should be conducted in accordance with the most recent version of the “OHIO DIVISION OF WILDLIFE GUIDANCE FOR BAT SURVEYS AND TREE CLEARING”. If state listed bats are documented, DOW recommends cutting only occur from October 1 through March 31. However, limited summer tree cutting may be acceptable after consultation with the DOW (contact Erin Hazelton at Erin.hazelton@dnr.ohio.gov).

The DOW also recommends that a desktop habitat assessment is conducted, followed by a field assessment if needed, to determine if a potential hibernaculum is present within the project area. Direction on how to conduct habitat assessments can be found in the current USFWS “Range-wide Indiana Bat Survey Guidelines.” If a habitat assessment finds that a potential hibernaculum is present within 0.25 miles of the project area, please send this information to Erin Hazelton for project recommendations. If a potential or known hibernaculum is found, the DOW recommends a 0.25-mile tree cutting and subsurface disturbance buffer around the hibernaculum entrance, however, limited summer or winter tree cutting may be acceptable after consultation with the DOW. If no tree cutting or subsurface impacts to a hibernaculum are proposed, this project is not likely to impact these species.

The project is within the range of the following listed mussel species.

Federally Endangered

club shell (*Pleurobema clava*)

rayed bean (*Villosa fabalis*)

snuffbox (*Epioblasma triquetra*)

Due to the location, and that there is no in-water work proposed in a perennial stream of sufficient size, this project is not likely to impact these species.

The project is within the range of the Iowa darter (*Etheostoma exile*), a state endangered fish. The DOW recommends no in-water work in perennial streams from March 15 through June 30 to reduce impacts to indigenous aquatic species and their habitat. If no in-water work is proposed in a perennial stream, this project is not likely to impact this or other aquatic species.

Due to the potential of impacts to federally listed species, as well as to state listed species, we recommend that this project be coordinated with the US Fish & Wildlife Service.

Water Resources: The Division of Water Resources has the following comment.

The local floodplain administrator should be contacted concerning the possible need for any floodplain permits or approvals for this project. Your local floodplain administrator contact information can be found at the website below.

http://water.ohiodnr.gov/portals/soilwater/pdf/floodplain/Floodplain%20Manager%20Community%20Contact%20List_8_16.pdf

ODNR appreciates the opportunity to provide these comments. Please contact Mike Pettegrew at mike.pettegrew@dnr.ohio.gov if you have questions about these comments or need additional information.

Mike Pettegrew
Environmental Services Administrator (Acting)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

August 30, 2021

REPLY TO THE ATTENTION OF:
Mail Code RM-19J

Brian Zimmerman
U.S. Department of Energy
10995 Hamilton-Cleves Highway
Harrison, Ohio 45030

Re: Draft Environmental Assessment for Proposed Demolition of Buildings at the Piqua Decommissioned Reactor Site, Miami County, Ohio

Dear Mr. Zimmerman:

The U.S. Environmental Protection Agency (EPA) has reviewed the referenced Draft Environmental Assessment (EA), which was produced by the U.S. Department of Energy (DOE). We undertook this review pursuant to our authorities under the National Environmental Policy Act (NEPA), Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

The proposed project involves demolition of all above-ground structures and provide additional protection for the currently entombed low-level radioactive waste. Two alternatives have been provided in the EA:

- Alternative 1 (No Action). No above-ground buildings would be demolished, and no additional protection would occur to the currently entombed low-level radioactive waste.
- Alternative 2 (Preferred Alternative). Demolish all above-ground structures and provide protection for the currently entombed low-level radioactive waste.

Alternative 2 has been selected by DOE as the preferred alternative. We commend DOE for thoroughly analyzing environmental and human health impacts and proposing thoughtful mitigation measures for this proposed project, including mitigation for hazardous waste management and disposal, recycling, site access restrictions, and future beneficial reuse of the site. Based on our review, we have recommendations for additional mitigation measures that may benefit human health and the natural environment, as stated below.

Air Quality Strategies

We recommend DOE consider implementing air quality best management practices (BMPs) for the proposed demolition activities. Several recommendations are included in an enclosure entitled, *U.S. Environmental Protection Agency Construction Emission Control Checklist*.

Stormwater Management and Resiliency

The National Climate Assessment finds that, in the Midwest, extreme heat, heavy downpours, and flooding will affect infrastructure, health, air and water quality, and more.¹ Storm events are occurring with greater frequency and intensity. We recommend that DOE account for increased storm frequency and intensity in the design of the projects to help ensure the health and safety of the public by using appropriate stormwater management designs. See EPA's Adaptation Resource Center² for information on resiliency and adaptation measures.

Pollinators and Native Plant Species

Pollinators are critical contributors to our nation's economy, food system, and environmental health. Vegetation within the project site area can provide vital habitat for pollinators, providing food, shelter, and connections to other patches of habitat. Where feasible, we recommend DOE consider planting native species and pollinator-friendly plants.

Please send us the Final Environmental Assessment (FEA) and Finding of No Significant Impact (FONSI) documents, when available. We are available to discuss our contents of this letter at your convenience. Please feel free to contact Mike Sedlacek of my staff at 312-886-1765, or by email at sedlacek.michael@epa.gov if you have any questions or concerns.

Sincerely,

**KENNETH
WESTLAKE**  Digitally signed by
KENNETH WESTLAKE
Date: 2021.08.30
11:42:34 -05'00'

Kenneth A. Westlake
Deputy Director, Tribal and Multimedia Programs Office
Office of the Regional Administrator

Encl: U.S. Environmental Protection Agency Construction Emission Control Checklist

¹ U.S. Global Change Research Program, 2017 Climate Science Special Report: Fourth National Climate Assessment, Volume 1, available at: <https://www.globalchange.gov/browse/reports>

² EPA's Climate Adaptation Resource Center, available at: <https://www.epa.gov/arc-x>

U.S. Environmental Protection Agency **Construction Emission Control Checklist**

Diesel emissions and fugitive dust from project construction may pose environmental and human health risks and should be minimized. In 2002, EPA classified diesel emissions as a likely human carcinogen, and in 2012 the International Agency for Research on Cancer concluded that diesel exhaust is carcinogenic to humans. Acute exposures can lead to other health problems, such as eye and nose irritation, headaches, nausea, asthma, and other respiratory system issues. Longer term exposure may worsen heart and lung disease.³ We recommend DOE consider the following protective measures and commit to applicable measures in the EA.

Mobile and Stationary Source Diesel Controls

Purchase or solicit bids that require the use of vehicles that are equipped with zero-emission technologies or the most advanced emission control systems available. Commit to the best available emissions control technologies for project equipment in order to meet the following standards.

- On-Highway Vehicles: On-highway vehicles should meet, or exceed, the EPA exhaust emissions standards for model year 2010 and newer heavy-duty, on-highway compression-ignition engines (e.g., long-haul trucks, refuse haulers, shuttle buses, etc.).⁴
- Non-road Vehicles and Equipment: Non-road vehicles and equipment should meet, or exceed, the EPA Tier 4 exhaust emissions standards for heavy-duty, non-road compression-ignition engines (e.g., construction equipment, non-road trucks, etc.).⁵
- Low Emission Equipment Exemptions: The equipment specifications outlined above should be met unless: 1) a piece of specialized equipment is not available for purchase or lease within the United States; or 2) the relevant project contractor has been awarded funds to retrofit existing equipment, or purchase/lease new equipment, but the funds are not yet available.

Consider requiring the following best practices through the construction contracting or oversight process:

- Establish and enforce a clear anti-idling policy for the construction site.
- Use onsite renewable electricity generation and/or grid-based electricity rather than diesel-powered generators or other equipment.
- Use electric starting aids such as block heaters with older vehicles to warm the engine.
- Regularly maintain diesel engines to keep exhaust emissions low. Follow the manufacturer's recommended maintenance schedule and procedures. Smoke color can signal the need for maintenance (e.g., blue/black smoke indicates that an engine requires servicing or tuning).
- Where possible, retrofit older-tier or Tier 0 nonroad engines with an exhaust filtration device before it enters the construction site to capture diesel particulate matter.
- Replace the engines of older vehicles and/or equipment with diesel- or alternatively-fueled engines certified to meet newer, more stringent emissions standards (e.g., plug-in hybrid-electric vehicles, battery-electric vehicles, fuel cell electric vehicles, advanced technology locomotives, etc.), or with zero emissions electric systems. Retire older vehicles, given the significant contribution of vehicle emissions to the poor air quality conditions. Implement programs to encourage the voluntary removal from use and the marketplace of pre-2010 model year on-highway vehicles (e.g., scrappage rebates) and replace them with newer vehicles that meet or exceed the latest EPA exhaust emissions standards, or with zero emissions electric vehicles and/or equipment.

³ Carcinogenicity of diesel-engine and gasoline-engine exhausts and some nitroarenes. *The Lancet*. June 15, 2012

⁴ <http://www.epa.gov/otaq/standards/heavy-duty/hdci-exhaust.htm>

⁵ <http://www.epa.gov/otaq/standards/nonroad/nonroadci.htm>

Fugitive Dust Source Controls

- Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative, where appropriate. This applies to both inactive and active sites, during workdays, weekends, holidays, and windy conditions.
- Install wind fencing and phase grading operations where appropriate, and operate water trucks for stabilization of surfaces under windy conditions.
- When hauling material and operating non-earthmoving equipment, prevent spillage and limit speeds to 15 miles per hour (mph). Limit speed of earth-moving equipment to 10 mph.

Occupational Health

- Reduce exposure through work practices and training, such as maintaining filtration devices and training diesel-equipment operators to perform routine inspections.
- Position the exhaust pipe so that diesel fumes are directed away from the operator and nearby workers, reducing the fume concentration to which personnel are exposed.
- Use enclosed, climate-controlled cabs pressurized and equipped with high-efficiency particulate air (HEPA) filters to reduce the operators' exposure to diesel fumes. Pressurization ensures that air moves from inside to outside. HEPA filters ensure that any incoming air is filtered first.
- Use respirators, which are only an interim measure to control exposure to diesel emissions. In most cases, an N95 respirator is adequate. Workers must be trained and fit-tested before they wear respirators. Depending on the type of work being conducted, and if oil is present, concentrations of particulates present will determine the efficiency and type of mask and respirator. Personnel familiar with the selection, care, and use of respirators must perform the fit testing. Respirators must bear a NIOSH approval number.

NEPA Documentation

- Per Executive Order 13045 on Children's Health⁶, EPA recommends the lead agency and project proponent pay particular attention to worksite proximity to places where children live, learn, and play, such as homes, schools, and playgrounds. Construction emission reduction measures should be strictly implemented near these locations in order to be protective of children's health. Specify how impacts to sensitive receptors, such as children, elderly, and the infirm will be minimized. For example, locate construction equipment and staging zones away from sensitive receptors and fresh air intakes to buildings

⁶ Children may be more highly exposed to contaminants because they generally eat more food, drink more water, and have higher inhalation rates relative to their size. Also, children's normal activities, such as putting their hands in their mouths or playing on the ground, can result in higher exposures to contaminants as compared with adults. Children may be more vulnerable to the toxic effects of contaminants because their bodies and systems are not fully developed and their growing organs are more easily harmed. EPA views childhood as a sequence of life stages, from conception through fetal development, infancy, and adolescence.

From: Barnes, Shannon (CONTR) <Shannon.Barnes@lm.doe.gov>
Sent: Wednesday, August 25, 2021 10:27 AM
To: Zimmerman, Brian <Brian.Zimmerman@lm.doe.gov>
Subject: FW: [EXTERNAL] Notice of Availability of Draft EA for Piqua Decommissioned Nuclear Reactor Site Demolition

For your records.

I will upload to records, let me know if you need anything else.

Shannon Barnes

LM Admin Support
Phone: (970) 248-6012
Shannon.barnes@lm.doe.gov

From: Ohio, FW3 <ohio@fws.gov>
Sent: Wednesday, August 25, 2021 6:43 AM
To: Barnes, Shannon (CONTR) <Shannon.Barnes@lm.doe.gov>
Cc: nathan.reardon@dnr.state.oh.us; Parsons, Kate <kate.parsons@dnr.state.oh.us>
Subject: [EXTERNAL] Notice of Availability of Draft EA for Piqua Decommissioned Nuclear Reactor Site Demolition

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TAILS# 03E15000-2021-TA-0445

Dear Mr. Zimmerman,

The U.S. Fish and Wildlife Service (Service) has received your recent correspondence requesting information about the subject proposal. We offer the following comments and recommendations to assist you in minimizing and avoiding adverse impacts to threatened and endangered species pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq), as amended (ESA).

Federally Threatened and Endangered Species: Due to the project type, size, location, and the proposed implementation of seasonal tree cutting (clearing of trees ≥ 3 inches diameter at breast height between October 1 and March 31) to avoid impacts to the endangered Indiana bat (*Myotis sodalis*) and threatened northern long-eared bat (*Myotis septentrionalis*), we do not anticipate adverse effects to any other federally endangered, threatened, or proposed species, or proposed or designated critical habitat. Should the project design change, or additional information on listed or proposed species or their critical habitat become available, or if new information reveals effects of the action that were not previously considered, coordination with the Service should be initiated to assess any potential impacts.

Section 7 Coordination: If there is a federal nexus for the project (e.g., federal funding provided, federal permits required to construct), then no tree clearing should occur on any portion of the project area until consultation under section 7 of the ESA, between the Service and the federal action agency, is completed. We recommend the federal action agency submit a determination of effects to this office, relative to the Indiana bat and northern long-eared bat, for our review and concurrence. This letter provides technical assistance only and does not serve as a completed section 7 consultation document.

Stream and Wetland Avoidance: Over 90% of the wetlands in Ohio have been drained, filled, or modified by human activities, thus is it important to conserve the functions and values of the remaining wetlands in Ohio (https://epa.ohio.gov/portals/47/facts/ohio_wetlands.pdf). We recommend avoiding and minimizing project impacts to all wetland habitats (e.g., forests, streams, vernal pools) to the maximum extent possible in order to benefit water quality and fish and wildlife habitat. Additionally, natural buffers around streams and wetlands should be preserved to enhance beneficial functions. If streams or wetlands will be impacted, the U.S. Army Corps of Engineers should be contacted to determine whether a Clean Water Act section 404 permit is required. Best management practices should be used to minimize erosion, especially on slopes. Disturbed areas should be mulched and revegetated with native plant species. In addition, prevention of non-native, invasive plant establishment is critical in maintaining high quality habitats.

Thank you for your efforts to conserve listed species and sensitive habitats in Ohio. We recommend coordinating with the Ohio Department of Natural Resources due to the potential for the proposed project to affect state listed species and/or state lands. Contact Mike Pettegrew, Acting Environmental Services Administrator, at (614) 265-6387 or at mike.pettegrew@dnr.state.oh.us.

If you have questions, or if we can be of further assistance in this matter, please contact our office at (614) 416-8993 or ohio@fws.gov.

Sincerely,



Patrice M. Ashfield
Field Office Supervisor

cc: Nathan Reardon, ODNR-DOW
Kate Parsons, ODNR-DOW

Responses to Public Comments Received on the Draft Piqua EA

No.	Comment	Response
1	<p>USEPA Region 5, Kenneth Westlake, August 30, 2021</p> <p>Alternative 2 has been selected by DOE as the preferred alternative. We commend DOE for thoroughly analyzing environmental and human health impacts and proposing thoughtful mitigation measures for this proposed project, including mitigation for hazardous waste management and disposal, recycling, site access restrictions, and future beneficial reuse of the site. Based on our review, we have recommendations for additional mitigation measures that may benefit human health and the natural environment, as stated below.</p>	<p>LM acknowledges your support for Alternative 2 to demolish all above-ground structures and provide protection for the currently entombed low-level radioactive waste.</p>
2	<p>USEPA Region 5, Kenneth Westlake, August 30, 2021</p> <p><i>Air Quality Strategies</i></p> <p>We recommend DOE consider implementing air quality best management practices (BMPs) for the proposed demolition activities. Several recommendations are included in an enclosure entitled, <i>U.S. Environmental Protection Agency Construction Emission Control Checklist</i>. These include:</p> <ul style="list-style-type: none"> • Mobile and Stationary Source Diesel Controls • Fugitive Dust Source Controls • Occupational Health • NEPA Documentation Per Executive Order 13045 on Children's Health <p>Mobile and stationary diesel emission source controls should include:</p> <ul style="list-style-type: none"> • Use of diesel vehicles and equipment equipped with zero-emission technologies or the most advanced emission control systems available. • On-Highway Diesel Vehicles: Should meet, or exceed, the EPA exhaust emissions standards for model year 2010 and newer. • Non-Road Diesel Equipment: Should meet, or exceed, the EPA Tier 4 exhaust emission standards. • Low Emission Diesel Equipment Exemptions: Equipment specifications outlined above should be met unless: 1) a piece of specialized equipment is not available for purchase or lease within the United States; or 2) the relevant project contractor has been awarded funds to retrofit existing equipment, or purchase/lease new equipment, but the funds are not yet available. 	<p>LM will add the following to Section 5.0 Mitigation in the final EA:</p> <p>Dust controls will be implemented to reduce fugitive dust. They may include, but not be limited to:</p> <ul style="list-style-type: none"> *Posting and enforcing a site speed limit *Watering roadways *Control vehicle access *Limit loading drop heights *Utilize water during demolition as appropriate *Contract with City of Piqua (or Subcontractor) to periodically sweep paved roads <p>Occupational health considerations will be covered as part of the project Health and Safety Plan.</p> <p>Verbiage regarding EO 13045 on Children's Health has been added to Section 3.15 Socioeconomics, Environmental Justice, and Protection of Children.</p>

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	<p>The following are mobile and stationary diesel emission source recommendations:</p> <ul style="list-style-type: none"> • Establish an anti-idling policy (ex. 30-minute maximum). • Use onsite electricity rather than diesel-powered generators whenever possible. • Use electric starting aids, such as block heaters, with older vehicles, as necessary. • Regularly maintain equipment to keep emissions low. • Where possible, retrofit older-tier or Tier 0 nonroad engines with an exhaust filtration device. 	
3	<p>USEPA Region 5, Kenneth Westlake, August 30, 2021 <i>Stormwater Management and Resiliency</i> The National Climate Assessment finds that, in the Midwest, extreme heat, heavy downpours, and flooding will affect infrastructure, health, air and water quality, and more.¹ Storm events are occurring with greater frequency and intensity. We recommend that DOE account for increased storm frequency and intensity in the design of the projects to help ensure the health and safety of the public by using appropriate stormwater management designs. See EPA’s Adaptation Resource Center² for information on resiliency and adaptation measures.</p>	<p>LM has already identified the following in Section 5.0 Mitigation in the final EA:</p> <ul style="list-style-type: none"> • Best management practices for stormwater control would be implemented and a NPDES permit would be adhered to if the limits of disturbance exceed one acre.
4	<p>USEPA Region 5, Kenneth Westlake, August 30, 2021 <i>Pollinators and Native Plant Species</i> Pollinators are critical contributors to our nation’s economy, food system, and environmental health. Vegetation within the project site area can provide vital habitat for pollinators, providing food, shelter, and connections to other patches of habitat. Where feasible, we recommend DOE consider planting native species and pollinator-friendly plants.</p>	<p>LM agrees and routinely adds native pollinator species to reclamation seed mixes. Disturbed soils will be planted with a native prairie seed mix as described in Section 3.3 of the EA. This seed mix would contain both grasses and appropriate pollinator species that would grow with the grasses. Such a mix would provide deep rooted cover to protect soils from erosion, species designed to improve pollinator habitat, and, when established, a potential seed bank for desirable species spread to other areas of the site.</p>

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5	<p>USFWS, Ohio Field Office, Patrice Ashfield, August 25, 2021</p> <p>Federally Threatened and Endangered Species: Due to the project type, size, location, and the proposed implementation of seasonal tree cutting (clearing of trees ≥ 3 inches diameter at breast height between October 1 and March 31) to avoid impacts to the endangered Indiana bat (<i>Myotis sodalis</i>) and threatened northern long-eared bat (<i>Myotis septentrionalis</i>), we do not anticipate adverse effects to any other federally endangered, threatened, or proposed species, or proposed or designated critical habitat. Should the project design change, or additional information on listed or proposed species or their critical habitat become available, or if new information reveals effects of the action that were not previously considered, coordination with the Service should be initiated to assess any potential impacts.</p> <p>Section 7 Coordination: If there is a federal nexus for the project (e.g., federal funding provided, federal permits required to construct), then no tree clearing should occur on any portion of the project area until consultation under section 7 of the ESA, between the Service and the federal action agency, is completed. We recommend the federal action agency submit a determination of effects to this office, relative to the Indiana bat and northern long-eared bat, for our review and concurrence. This letter provides technical assistance only and does not serve as a completed section 7 consultation document.</p> <p>Stream and Wetland Avoidance: Over 90% of the wetlands in Ohio have been drained, filled, or modified by human activities, thus is it important to conserve the functions and values of the remaining wetlands in Ohio (https://epa.ohio.gov/portals/47/facts/ohio_wetlands.pdf). We recommend avoiding and minimizing project impacts to all wetland habitats (e.g., forests, streams, vernal pools) to the maximum extent possible in order to benefit water quality and fish and wildlife habitat. Additionally, natural buffers around streams and wetlands should be preserved to enhance beneficial functions. If streams or wetlands will be impacted, the U.S. Army Corps of Engineers should be contacted to determine whether a Clean Water Act section 404 permit is required. Best management practices should be</p>	<p>LM contacted USFWS for clarification, as this information had been previously received and addressed by USACE. After receiving these comments, LM and USFWS communicated further. After performing bat surveys, implementing scheduling constraints for removing larger trees, and further analyzing the site, LM has determined that no adverse effects would result from the project and is not required to further consult with USFWS. Section 3.5 in the final EA has been revised to clarify this decision.</p>

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	<p>used to minimize erosion, especially on slopes. Disturbed areas should be mulched and revegetated with native plant species. In addition, prevention of non-native, invasive plant establishment is critical in maintaining high quality habitats.</p> <p>Thank you for your efforts to conserve listed species and sensitive habitats in Ohio. We recommend coordinating with the Ohio Department of Natural Resources due to the potential for the proposed project to affect state listed species and/or state lands. Contact Mike Pettegrew, Acting Environmental Services Administrator, at (614) 265-6387 or at mike.pettegrew@dnr.state.oh.us.</p>	
6.	<p>Ohio DNR, Mike Pettegrew, September 17, 2021 Natural Heritage Database - has the following data at or within a one-mile radius of the project area: Elktoe (<i>Alasmodonta marginata</i>), SC Western creek chubsucker (<i>Erimyzon claviformis</i>), SC</p> <p>The review was performed on the project area specified in the request as well as an additional one-mile radius. Records searched date from 1980. This information is provided to inform you of features present within your project area and vicinity.</p>	<p>Section 3.5 of the final EA has been revised by LM to include these State species of concern.</p>
7.	<p>Ohio DNR, Mike Pettegrew, September 17, 2021 Division of Wildlife - The DOW recommends that impacts to streams, wetlands and other water resources be avoided and minimized to the fullest extent possible, and that Best Management Practices be utilized to minimize erosion and sedimentation.</p>	<p>LM agrees and intends to avoid impacts to streams, wetlands, and other water resources whenever possible. Best management practices and the application of stormwater permits will help ensure that impacts are also minimized as much as possible. Text has been added to Sections 3.4 and 3.6 of the final EA to clarify LM's intent.</p>

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8.	<p>Ohio DNR, Mike Pettegrew, September 17, 2021 Division of Wildlife - The entire state of Ohio is within the range of the Indiana bat (<i>Myotis sodalis</i>), a state endangered and federally endangered species, the northern long-eared bat (<i>Myotis septentrionalis</i>), a state endangered and federally threatened species, the little brown bat (<i>Myotis lucifugus</i>), a state endangered species, and the tricolored bat (<i>Perimyotis subflavus</i>), a state endangered species. During the spring and summer (April 1 through September 30), these species of bats predominately roost in trees behind loose, exfoliating bark, in crevices and cavities, or in the leaves. However, these species are also dependent on the forest structure surrounding roost trees. If trees are present within the project area, and trees must be cut, the DOW recommends cutting only occur from October 1 through March 31, conserving trees with loose, shaggy bark and/or crevices, holes, or cavities, as well as trees with DBH \geq 20 if possible. If trees are present within the project area, and trees must be cut during the summer months, the DOW recommends a mist net survey or acoustic survey be conducted from June 1 through August 15, prior to any cutting. Mist net and acoustic surveys should be conducted in accordance with the most recent version of the “OHIO DIVISION OF WILDLIFE GUIDANCE FOR BAT SURVEYS AND TREE CLEARING”. If state listed bats are documented, DOW recommends cutting only occur from October 1 through March 31. However, limited summer tree cutting may be acceptable after consultation with the DOW (contact Erin Hazelton at Erin.hazelton@dnr.ohio.gov).</p> <p>The DOW also recommends that a desktop habitat assessment is conducted, followed by a field assessment if needed, to determine if a potential hibernaculum is present within the project area. Direction on how to conduct habitat assessments can be found in the current USFWS “Range-wide Indiana Bat Survey Guidelines.” If a habitat assessment finds that a potential hibernaculum is present within 0.25 miles of the project area, please send this information to Erin Hazelton for project recommendations. If a potential or known hibernaculum is found, the DOW recommends a 0.25-mile tree cutting and subsurface disturbance buffer around the hibernaculum entrance, however, limited summer or winter tree cutting may be acceptable after consultation with the DOW. If no tree cutting or subsurface impacts to a hibernaculum are proposed, this project is not likely to impact these species.</p>	<p>LM has included the little brown bat and tricolored bat to the final EA based on Ohio DNR’s comment. USACE performed a desktop assessment and determined that there are no hibernacula within 0.25 mile of the project site. The EA text was revised to specifically state that a desktop assessment was performed. LM will not cut trees between April 1 and September 30.</p>

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No.	Comment	Response
9.	<p>Ohio DNR, Mike Pettegrew, September 17, 2021 Division of Wildlife - The project is within the range of the following listed mussel species. Federally Endangered club shell (<i>Pleurobema clava</i>) rayed bean (<i>Villosa fabalis</i>) snuffbox (<i>Epioblasma triquetra</i>). Due to the location, and that there is no in-water work proposed in a perennial stream of sufficient size, this project is not likely to impact these species.</p> <p>The project is within the range of the Iowa darter (<i>Etheostoma exile</i>), a state endangered fish. The DOW recommends no in-water work in perennial streams from March 15 through June 30 to reduce impacts to indigenous aquatic species and their habitat. If no in-water work is proposed in a perennial stream, this project is not likely to impact this or other aquatic species.</p> <p>Due to the potential of impacts to federally listed species, as well as to state listed species, we recommend that this project be coordinated with the US Fish & Wildlife Service.</p>	<p>Although the USFWS Information for Planning and Consultation website did not show club shell or snuffbox for this location, LM included these species in the final EA based on Ohio DNR's recommendation.</p> <p>The planned work will not affect fish or other aquatic organisms.</p> <p>After communicating with USACE, performing bat surveys, implementing scheduling constraints for removing larger trees, and further analyzing the site, LM has determined that no adverse effects to listed bats would result from the project and is not required to further consult with USFWS. Text in the final EA has been revised to clarify this decision</p>
10	<p>Ohio DNR, Mike Pettegrew, September 17, 2021 Division of Water Resources - The local floodplain administrator should be contacted concerning the possible need for any floodplain permits or approvals for this project. Your local floodplain administrator contact information can be found at the website below. Main Office, (614) 265-6620, 2045 Morse Road, Building B, Columbus, OH 43229 Chief of Water Resources, Dena C. Barnhouse, (614) 265-6620</p>	<p>LM is not aware of any potential floodplain requirements because neither the project area nor other potential areas of impact are within the base floodplain.</p>