

Department of Energy

Washington, DC 20585

October 2, 2023

Mr. Syed Quadri U.S. Environmental Protection Agency Region 5 (SR-6J) 77 W. Jackson Blvd. Chicago, IL 60604-3590

Ms. Amanda Heideman Ohio Environmental Protection Agency 401 East 5th Street Dayton, OH 45402

Subject: Transmittal of Draft Variances for the Calendar Year 2024 Comprehensive Legacy Management and Institutional Controls Plan

Dear Mr. Quadri and Ms. Heideman:

This letter transmits two draft variances to the LMICP, Revision 13 to communicate the changes required for calendar year 2024. The draft variances to the LMICP, Revision 13 will be available to all stakeholders for their review at the Fernald Preserve Visitors Center and on the Fernald Preserve page of the U. S. Department of Energy Office of Legacy Management's public website (<u>https://www.lm.doe.gov/fernald/Sites.aspx</u>). Stakeholder comments are being solicited via electronic mail to the stakeholder mailing list as well as via hard copy notification to adjacent property owners. Comments will be accepted through the month of November.

Upon agency approval, the variances will be final by January 2024 to correspond to the calendar year monitoring and reporting (any EPA and Ohio EPA comments will be addressed between October 2023 and January 2024). The final, approved variances will be posted to the public website.

Please contact me at (513) 648-3340 or <u>Brian.Zimmerman@lm.doe.gov</u>, if you have any questions.

Sincerely,

Digitally signed by BRIAN **BRIAN ZIMMERMAN** ZIMMERMAN Date: 2023.10.02 13:14:03 -04'00'

Brian Zimmerman Fernald Preserve Site Manager

Enclosure

cc w/enclosure via email: Jennifer Finfera, USFWS Stephen Helmer, ODH Sean Kubera, ODH Cliff Carpenter, DOE-LM Kate Whysner, DOE-LM Ken Broberg, RSI John Homer, RSI Greg Lupton, RSI Lisa McHenry, RSI Karen Voisard, RSI Administrative Record DOE Read File FOLD/20/78

	Comprehensive Lega	cy Management Revision Variances for	and Institutional Control Plan (S 13, January 2023 Calendar Year 2024	03496-13.0)		
					Regulatory Approval Date	
Variance Number	Variance Title	Significant? ^a (Y/N)	Affected Volume, Attachment and Section	Variance Date	EPA	Ohio EPA
		Calend	dar Year 2024			
2024-01	On-Site Disposal Facility (OSDF) Vegetation Reporting	Y	Volume II, Section 3.5.1, OSDF Inspection and Maintenance	9/19/2023		
2024-02	Performance Testing	Y	Volume II, Attachment A, OMMP, Section 6.2.3, <i>Maintenance and Operational</i> <i>Monitoring</i> .	9/22/2023	TBD	TBD
2024-03 ^b	Contact List	N	Volume II, Attachment E, Community Involvement Plan, Appendix A, <i>Contact List</i>	TBD		

¹^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. ^b Variance 2024-03 will be developed to incorporate the result of the November 2023 election.

Variance

Variance num	ber: 2024-01				Significar	nt: 🖂 Yes	🗌 No		
Document nu	mber: LMS/FER/S04396-13.0	0			Pag	e: 1 of	1		
Document titl	Fernald Preserve Comprehe Controls Plan, Volume II, Ins	ensive Legac stitutional Co	y Mana ntrol Pla	gement : an	and Institutional Date	e: 9/22/2023			
Variance (Include Justification)									
Requirement:	The third paragraph of Section	on 3.5.1 is re	evised	as indio	cated below in redline	/strikeout:			
"The monitoring and management of the OSDF vegetative cover will be carried out to optimize the establishment and continued growth of the native grass mix specified and seeded on the OSDF cap. Monitoring will consist of the collection of data to determine the percentage of native cover on the OSDF cap. Vegetation monitoring is conducted on a 3-year rotation. No changes to this approach were identified during the 2021 CERCLA five-year review (DOE 2021). Sample collection consists of establishing a grid on each cell cap and collecting data from random 1-meter quadrat locations within the grid. Data are collected once during each sampling event in late summer. Prior to 2023, rResults arewere presented to regulators as part of the fall quarterly inspection report, no later than October 15 of the collection year. In the 2022 Site Environmental Report, DOE proposed including the OSDF ecological monitoring results in the annual Site Environmental Report rather than the OSDF quarterly inspection report. This change was implemented in fall 2023."									
Justification: The change provides for more streamlined reporting.									
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Justification: Requested By	The change provides for more	e streamline ENRY (Affiliate	e) Digitally Date: 201	signed by LISA <i>I</i> 23.09.25 08:26:2	MCHENRY (Affiliate) 3-04'00' Date:				
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Variance

Variance n	umber:	2024-02						Significant:	X Ye	es	🗌 No	
Document	number:	LMS/FER	/S04396-13	.0				Page:	1	of	1	
		Fernald Preserv	e Comprehe	ensive Legacy N	lanageme	nt and	Institutional Control	s				
Document	title:	Plan, Volume II, Maintenance Ma	Institutional ster Plan fo	Control Plan, A r Aquifer Restor	ttachment ration and	A, Op Waste	erations and water Treatment	Date:	9/19/2	2023		
					Varian	се						
(Include Justification)												
Requireme	Requirement: Section 6.2.3, Maintenance and Operational Monitoring requires quarterly performance testing and amperage measurements during the testing. The following requires to the requirements are indicated below using requirements.											
the testing. The following revisions to the requirements are indicated below using redline/strikeout. Table 1. Planned Outages												
	lter	n	Desc	ription			Frequency	Duratio	on per	Event		
	1	Performance	e Testina	, iption		As	needed Quarterly	4 ho	urs per	well		
	2	Pressure Tr	ansmitter Or	perational Chec	k		Annually	2 hoi	urs per	well		
	3	Magnetic Fl	ow Meter Op	perational Checl	kª		Semiannually	2 ho	urs per	well		
	4	Check Valve	e Inspect/Cl	ean			Semiannually	4 ho	urs per	well		
	5	Rehabilitatio	on				Variable	3	weeks	5		
	6	Well/Pump	Cleaning				Variable	1	–2 days	s		
^a Flow	meter op	erational check ma	y occur as a	a post-maintena	nce test us	sing a	portable flow meter.					
Performance	testing											
The main sSystem performance indicators for the South Plume and South Field-extraction wells modules are gathered and summarized in performance tests eonducted quarterly. These tests monitor the specific capacity of each recovery/extraction well and the pump/motor assembly performance. The test results are used to determine the need for well and pump cleaning, well redevelopment, or pump/motor rebuilding. The information helps minimize unscheduled, unplanned emergency maintenance and shortens the duration of well outages-maintain wellfield operational efficiency. Several of the parameters measured may be monitored more frequently to develop additional system data for trending purposes.												
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