



July 23, 2004

Robert Warther  
DOE-Ohio  
175 Tri-County Parkway  
Springdale, OH 45246-3222

William Taylor  
U.S. DOE  
PO Box 538705  
Cincinnati, OH 45253-8705

*Chair*  
James C. Bierer

*Vice Chair*  
Lisa Crawford

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M. Kathryn Brown  
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Graham Mitchell

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Dear Mr. Warther and Mr. Taylor,

The Fernald Citizens Advisory Board (FCAB) provides recommendations to the U.S. Department of Energy Office of Environmental Management on decisions related to the remediation of the Fernald Cleanup Project. These decisions include the anticipated ecological restoration and post-closure management of the site. For several years, the FCAB has worked closely with the Fernald community, DOE, the Ohio Environmental Protection Agency, and other stakeholders to determine a reasonable future use of the site and the most effective ways to ensure the continued protection of the community's health.

We recently reviewed a letter sent June 3, 2004, to the Assistant Attorney General of Ohio, Timothy Kern by a Senior Attorney at the U.S. Department of Justice, Daniel Dirtke. The letter concerned the potential settlement of the Natural Resources Damage claim filed against DOE by the State of Ohio. Overall, we were disappointed by Mr. Dirtke's positions regarding DOE's obligations at the Fernald site, and we strongly object to his assertion that there "does not appear to be a groundswell" for the construction of an education facility at the Fernald site. The construction of an education facility was proposed by the Fernald community in 1999 and has been the centerpiece of long-term thinking about the site ever since. The FCAB and members of the Fernald community continue to support this idea as a critical element of effective long-term stewardship at Fernald. In fact, the FCAB recently has been working with local DOE representatives to secure a cluster of trailers currently on site as an interim public education and artifact-storage facility, until a more permanent building can be constructed.

In 1999, the FCAB hosted the first of four Future of Fernald community workshops. More than 100 stakeholders attended each of the initial three workshops over an 18-month period and developed a unified vision for a transformed Fernald site. This Stakeholders' Vision for the Future of Fernald depicted a safe and accessible community resource devoted to education. In subsequent workshops, the community determined that walking trails, user-friendly information resources, and an on-site education facility would be important means for achieving its Vision. These concepts were supported by local DOE officials and shaped subsequent planning for long-term stewardship of the site. Until recently, DOE frequently cited settlement of the State of Ohio's Natural Resource Damages claim as a potential source of support for the ongoing maintenance of ecological restoration projects and the development of educational resources, including an on-site educational facility.

Over the past two years, DOE's backing for this Vision has faded as the agency limited its attention to the completion of cleanup projects and narrowed the scope of long-term stewardship to include only monitoring and maintenance. During the same time period the FCAB has engaged the community in a dialogue about critical post-cleanup public

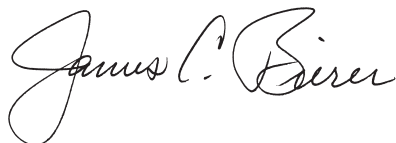
information resources. Community members agree that an on-site education facility would be a vital tool in building a lasting awareness of the history of the site and what is required to maintain human and ecological health at Fernald. Conclusions from this process were captured in our 2002 report, *Telling the Story of Fernald*. Over the past year, the FCAB has reiterated its support for the construction of a public education facility at the site in at least two letters to DOE (FCAB Recommendations 2003-04 and 2004-02, mailed 8/18/03 and 2/9/04 respectively).

Because leadership on this issue is unlikely to come from DOE, local organizations and municipal leaders have begun to build a coalition to pursue the Stakeholder Vision and the important role that education will play in the future of the Fernald site. This coalition now includes FCAB members, trustees of Crosby and Morgan townships, Fernald Residents for Environmental Health and Safety (FRESH), Fernald Community Health Effects Committee (F-CHEC), Fernald Living History, Inc., historical societies from Crosby and Morgan Townships, and the Ohio Environmental Protection Agency. Enclosed with this letter is a brochure that will help you understand this effort and what it hopes to accomplish. We are inviting additional organizations to learn about the exciting future of the Fernald site and join the coalition.

As DOE and its DOJ counsel continue to seek settlement of the Fernald NRD claim, we would be happy to meet with you and to clarify any of our interests or ideas. In the meantime, we hope that you and other federal representatives will more accurately portray the importance that a large and diverse group of Fernald public place on an education center for the Fernald site.

Please provide the FCAB with a detailed response by August 31, 2004, including information on how this issue has been addressed with the Department of Justice Attorney working on the Natural Resources Damage claim.

Sincerely:



Jim Bierer  
Chair



Lisa Crawford  
Vice-Chair

cc:

Senator Mike DeWine  
Senator George Voinovich  
Representative Steve Chabot  
Judge Spiegel  
Daniel R. Dertke, Esq.  
Timothy J. Kern  
Gary Stegner  
Paul Golan  
Bill Kurey  
Tom Schneider  
Peter Yarace