

## Lemont, Stephen

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**From:** Lemont, Stephen  
**Sent:** Thursday, January 08, 2015 10:54 AM  
**To:** 'Cherry, Robert N CIV USARMY IMCOM HQ (US)'  
**Cc:** 'Joe\_Robb@fws.gov'; skibinskij@leidos.com; Trefethen, Jean  
**Subject:** REVISED Preliminary Information Needs from the Army for JPG DU Impact Area Environmental Impact Statement 010815  
**Attachments:** REVISED JPG EIS\_Preliminary Information Needs 010815.docx; Jefferson Proving Grounds - EPA Scoping Comments 12-18-2014.pdf

**Importance:** High

**Tracking:**

**Recipient**

**Read**

'Cherry, Robert N CIV USARMY IMCOM HQ (US)'

'Joe\_Robb@fws.gov'

skibinskij@leidos.com

Trefethen, Jean

Read: 01/08/2015 10:57 AM

Bob,

As I had mentioned to you in a previous email, the NRC and Center for Nuclear Waste Regulatory analyses (CNWRA) staff were going to review the EIS scoping comments that we received from EPA Region 5, dated December 18, 2015, to determine if any of those comments might result in additions or changes to the list of preliminary information needs that I sent to you on December 17, 2014. We have completed that review and have in fact determined that some additional information needs should be included in the list for discussion with the Army and Leidos staff on January 12th. The revised preliminary information needs are included as an attachment to this email, with the additions highlighted in light blue so that you can easily distinguish them from the information needs that I sent you previously. The additions are included under the following EIS Section or Resource Area categories: Purpose and Need, Water Resources, and a new category, Mitigation Measures. For your reference, I have also attached the EPA scoping comments. Please distribute this email and attachments to the appropriate folks on your end so that they can familiarize themselves with the additions in advance of our meeting on Monday.

Please note that the NRC staff must address EPA Region 5's scoping comments in our EIS to the maximum extent possible because Region 5 will be reviewing and rating our Draft EIS. Thus, and any of EPA's scoping comments that are not adequately addressed in our Draft EIS could result in delays in completing and issuing our Final EIS and in issuing the NRC's licensing decision on the Army's request.

Please also note that due to the lateness of my sending the additional information needs to you, we don't expect that the Army and Leidos staff would necessarily be prepared to fully address the added items or discuss them in detail. Therefore, whatever can be done with these between now and Monday would be great; however, our only expectation at this late date is that we would be able to discuss the additional information needs with the Army and Leidos at a high level.

Finally, as I had indicated in my transmittal of our initial preliminary information needs, please note that these information needs do not represent formal NRC "Requests for Additional Information" (RAIs) from the Army, and no formal response to them is being requested from the Army at this time. These information needs are simply for the NRC and CNWRA staffs' discussion purposes with the Army and Leidos at our upcoming site meeting at JPG on

January 12, 2015, starting at 8:30 AM; and of course, they are also to give the Army and Leidos a heads up on the issues we want to discuss and on information that we need to gather during our site meeting.

Thank you for your assistance and cooperation in this matter. I look forward to seeing you on Monday.

Best regards,  
Steve

Stephen Lemont, Ph.D.  
Senior Environmental Project Manager  
U. S. Nuclear Regulatory Commission  
Office of Nuclear Material Safety and Safeguards  
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Washington, DC 20555-0001  
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Email: Stephen.Lemont@nrc.gov

-----Original Message-----

From: Cherry, Robert N CIV USARMY IMCOM HQ (US) [mailto:robert.n.cherry.civ@mail.mil]  
Sent: Wednesday, December 17, 2014 3:59 PM  
To: Lemont, Stephen  
Subject: RE: Preliminary Information Needs from the Army for JPG DU Impact Area Environmental Impact Statement (UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

Thanks, Steve. I will forward them. See you on Jan 12.

Bob

Bob Cherry  
IMCOM Radiation Safety Staff Officer  
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robert.n.cherry.civ@mail.mil

US Army Installation Management Command  
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Building 2261  
2405 Gun Shed Road  
JBSA Fort Sam Houston, Texas 78234-1223

-----Original Message-----

From: Lemont, Stephen [mailto:Stephen.Lemont@nrc.gov]  
Sent: Wednesday, December 17, 2014 2:50 PM  
To: Cherry, Robert N CIV USARMY IMCOM HQ (US)  
Cc: Joe\_Robb@fws.gov; skibinskij@leidos.com  
Subject: Preliminary Information Needs from the Army for JPG DU Impact Area Environmental Impact Statement

Bob,

Attached for the U.S. Army's consideration and action is a table listing the NRC's "Preliminary Information Needs" from the Army for our Jefferson

Proving Ground (JPG) Depleted Uranium (DU) Impact Area Environmental Impact Statement (EIS). The information needs are listed by EIS section or review area. I assume that you will be distributing this email and the attachment to the other involved Army staff and to Leidos, Inc.

The attached preliminary information needs were identified by staff of the NRC and NRC's contractor, the Center for Nuclear Waste Regulatory Analyses (CNWRA), based on our initial review of the Army's Environmental Report (ER) and Decommissioning Plan (DP), and represent areas of additional information or information in the ER and DP requiring clarification which we will need for our EIS. In addition, the attached table identifies a number of reference documents in the ER or DP and other documents which are not readily available and which we therefore need to obtain from the Army.

Please note that these preliminary information needs do not represent formal NRC "Requests for Additional Information" (RAIs) from the Army, and no formal response to them is being requested from the Army at this time. These information needs are simply for the NRC and CNWRA staffs' discussion purposes with the Army and Leidos at our upcoming site meeting at JPG on January 12, 2015, starting at 8:30 AM; and of course, they are also to give the Army and Leidos a heads up on the issues we want to discuss and on information that may need to be gathered for our site meeting. For your information, the names and EIS roles/review subject areas of the NRC and CNWRA staff who will be attending our January 12th site meeting are provided at the end of this email.

Note, however, it would be of great benefit to us if the Army could provide copies of the requested references and other documents in advance of the January 12th meeting, if possible. Please provide those to me electronically, or in hardcopy if electronic versions cannot be made available. For the Army's convenience, the requested references/documents are highlighted in yellow in the attachment.

It is anticipated that formal RAIs will be sent to the Army by the NRC at some time after our site meeting. Where necessary, some of the RAIs may be similar to preliminary information needs listed in the attached table. In addition, other information may be requested in RAIs based on our further review and analysis of information presented the Army's ER and DP and of other documentation provided by the Army, as well as from what we learn in our site meeting with the Army and Leidos and in information gathering meetings we will be conducting with other Federal, State, local and private sector agencies and organizations during the week of January 12th.

Please contact me if you have any questions or need additional information. I look forward to meeting with you and other Army staff and with Leidos staff on January 12th.

Thanks,  
Steve

Stephen Lemont, Ph.D.  
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NRC and CNWRA JPG Site Meeting Participants, January 12, 2015

NRC

Stephen Lemont - EIS Project Manager

Jean Trefethen - EIS Assistant Project Manager

Lydia Chang - Chief, Environmental Review Branch, NRC

CNWRA

James Prikryl - Principal Investigator, Purpose and Need, Alternatives, Land Use, and Geology/Geochemistry

Pat LaPlante - Public and Occupational Health, Cumulative Impacts, Transportation, and Waste Management

Robert Lenhard - Soils

Amy Minor - Ecological Resources, Socioeconomics, Environmental Justice, and Visual and Scenic Resources

Gary Walter - Water Resources (Surface Water and Groundwater)

Classification: UNCLASSIFIED

Caveats: NONE

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**Preliminary Information Needs from the U.S. Army for the  
U.S. Nuclear Regulatory Commission's (NRC's) Jefferson Proving Ground (JPG)  
Depleted Uranium (DU) Impact Area Environmental Impact Statement (EIS)**

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<b>EIS Section or Resource Area</b>	<b>Description of Information Needs</b>
General	For any references/documents identified below as needed by the NRC from the Army, please provide those electronically if possible, or in hardcopy if electronic versions cannot be made available. Please provide these prior to the January 12, 2015, meeting at JPG, if possible. References/documents needed are highlighted in yellow below.
Purpose and Need	Provide additional information and justification to support the brief statement of the purpose and need in the Environmental Report (ER) to terminate NRC Materials License SUB-1435. Also provide additional information and justification for the discontinuation of the environmental monitoring program upon license termination, including--but not limited to--data from other, similar sites. For example, the Army's purpose and need seems to be centered on the argument that the active Army mission ceased in 1995. However, this need may be outweighed by (1) the amount of DU remaining in the DU Impact Area, (2) the risk due to the presence of radioactive materials with long half-lives (e.g., uranium isotopes with half-lives greater than 100 years), and (3) the public's expressed concerns about the need to clean up the DU Impact Area and the cessation of environmental monitoring after license termination.
Reasonable Alternatives to the Proposed Action	<ol style="list-style-type: none"><li data-bbox="391 1058 1429 1499">1. At the NRC's scoping meeting held on December 3, 2014, in Madison, IN, and at previous public meetings held by the Army in 2008 and 2009 in the three counties where JPG is located, the public expressed the need for the Army to continue environmental monitoring to ensure public health and safety given the long life of DU radiological hazards. Therefore, a reasonable alternative to the Army's proposed action for the NRC to consider in detail in the EIS would be for the Army to continue environmental monitoring. Provide additional information on the costs and benefits of continued environmental monitoring at the present level and at reasonable reduced levels (i.e., on an annual basis and on a biennial [every 2-year] basis). This information would include the cost of collecting samples (e.g., groundwater, surface water, soil, and sediment), analyzing the samples, and reporting the results.</li><li data-bbox="391 1528 1429 1730">2. Provide clarification of the brief statement in the ER about the Army, State of Indiana, and public regarding the No-Action Alternative. That is, in Section 2.1.1 of the ER, the Army states that the No-Action Alternative (License Continuation) "may be inconsistent with the interests of the public, the State of Indiana, or the Army." Provides information to explain or support this statement.</li><li data-bbox="391 1759 1429 1896">3. Provide the Army's Remedial Investigation and Feasibility Study report(s), prepared under the requirements of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) or other program(s), which included (1) identification of chemical and radiological constituents</li></ol>

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**Preliminary Information Needs from the U.S. Army for the  
U.S. Nuclear Regulatory Commission's (NRC's) Jefferson Proving Ground (JPG)  
Depleted Uranium (DU) Impact Area Environmental Impact Statement (EIS)**

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	<p>and associated risks to human health and the environment from the DU Impact Area, and (2) identification and evaluation of alternatives for remediating the DU Impact Area.</p>
Land Use	<p>Provide information on any future land transactions in the area south of the firing line which are presently known, including information on the individual(s) and/or entity(ies) to which the land will be transferred and the planned use(s) for the land (if known).</p>
Geology and Soils	<p>A reference from the ER and Decommissioning Plan (DP) needed from the Army to support the EIS analysis of soil and water resources impacts is as follows:</p> <ul style="list-style-type: none"><li>• U.S. Army. 2003a. The Training Range Site Characterization and Risk Screening Regional Range Study, Jefferson Proving Ground, Madison, Indiana. August.</li></ul>
Water Resources	<ol style="list-style-type: none"><li>1. Provide additional information concerning the selection of sorption coefficients (<math>K_d</math>'s) used in the vadose zone modeling. Most of the conclusions about the potential for uranium migration in groundwater depend on the vadose zone modeling described in Appendix B of the ER. The uranium concentrations at the end of the 1,000-year compliance period are almost entirely determined by the value of the <math>K_d</math> derived for the shallow soil, rather than on the hydraulic conductivity of the soil layers, because the infiltration rate is fixed at 4 in/yr. The sensitivity analysis did not vary the <math>K_d</math> of the shallow soil layer, which was fixed at 189 mL/g based on one desorption test. Clarify why the <math>K_d</math> was not varied (such as by using the <math>K_d</math>'s measured for the glacial till.)</li><li>2. Provide additional information on the results of vadose zone modeling beyond 1,000 years. Based on the <math>K_d</math> assumed in the vadose zone source term analysis, the travel time through the upper 2 feet of the soil is greater than 1,000 years, so little or no uranium leaches from the soil. If the time horizon for the analysis was greater than 1,000 years, the uranium flux would be greater, even at the <math>K_d</math> assumed in the analysis.</li><li>3. Provide input/output files for the groundwater modeling described in Appendix B of the ER and for the surface water flow, sediment, and DU fate and transport modeling described in Appendix E of the ER.</li><li>4. Provide information--e.g., reports and/or documents from the Army's Installation Restoration Program activities at JPG and more recent studies--on groundwater, surface water, soil, and sediment sampling for non-radiological (chemical) constituents from the DU Impact Area and other areas north of the firing line.</li><li>5. Provide information (e.g., studies, reports, maps, aerial photographs) on</li></ol>

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**Preliminary Information Needs from the U.S. Army for the  
U.S. Nuclear Regulatory Commission's (NRC's) Jefferson Proving Ground (JPG)  
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	<p>karst features (e.g., sinkholes, caves, solution cavities) within and in the immediate vicinity of the DU Impact Area.</p> <p>6. Provide information on Clean Water Act Section 303(d) listed water bodies, current impairments, and how the proposed action may affect the impairment, either positively or detrimentally. A list of Indiana impaired water bodies can be found at <a href="http://ofmpub.epa.gov/waters10/attains_state.report_control?p_state=IN&amp;p_cycle=2008&amp;p_report_type=T">http://ofmpub.epa.gov/waters10/attains_state.report_control?p_state=IN&amp;p_cycle=2008&amp;p_report_type=T</a>.</p> <p>7. Provide information on the frequency and intensity of potential flood events due to climate change (e.g., estimates from climate modeling). Data compiled by the U.S. Environmental Protection Agency (EPA) suggest that over the past 50 years, the amount of rain falling during the most intense one percent of storms increased by almost 20 percent resulting in more expansive flooding (e.g., see <a href="http://www.epa.gov/climatechange/impacts-adaptation/midwest.html">http://www.epa.gov/climatechange/impacts-adaptation/midwest.html</a>). Provide information on how future flooding events may physically or chemically impact UXO and DU at the JPG site. If impacts are anticipated, provide information on potential mitigation strategies.</p> <p>8. Provide information on jurisdictional Waters of the United States determination of wetlands on the JPG site, as determined by the U.S. Army Corps of Engineers (USACE). A jurisdictional determination letter from the USACE would be preferred.</p> <p>9. References from the ER and DP needed from the Army to support the EIS analysis of water resources impacts are as follows:</p> <ul style="list-style-type: none"><li>• SAIC. 2006a. Fracture Trace Analysis. Submitted to U.S. Department of Army Installation Support Management Agency Aberdeen Proving Ground, Maryland. June.</li><li>• SAIC. 2008. Well Construction and Surface Water Data Report. Prepared for U.S. Department of Army and U.S. Army Corps of Engineers under Contract DACW62-03-D-0003; DO CY07.</li></ul>
Cultural and Historic Resources	<p>A reference from the ER needed from the Army to support the EIS analysis of cultural and historic resources impacts is as follows:</p> <ul style="list-style-type: none"><li>• INANG, 2011. Integrated Cultural Resource Management Plan for the Jefferson Proving Ground/Jefferson Range, Indiana Air National Guard. Prepared for the Indiana Air National Guard and Air National Guard Readiness Center, National Guard Bureau through Air Force Center for Engineering and the Environment under USAMRAA Cooperative Agreement No. W81XWH-05-2-0050, Delivery Order No. 0009. January.</li></ul>

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Public and Occupational Health	<ol style="list-style-type: none"><li>1. Clarify if/where the modeling of DU fate, transport, and dose also includes an evaluation of the chemical (non-radiological) risks of DU. Chemical hazards of DU are described in the Army's ER discussion of exposure pathways, but could not be located in the summary of modeling results.</li><li>2. Provide input/output files for the dose modeling described in the ER and DP to evaluate public and occupational health impacts of the Army's proposed action.</li><li>3. References from the ER and DP needed from the Army to support the EIS analysis of public and occupational health are as follows:<ul style="list-style-type: none"><li>• Williams, G.P., A.M. Hermes, A.J. Policastro, H.M. Hartmann, and D. Tomasko. 1998. Potential Health Impacts from Range Fires at Aberdeen Proving Ground. Report ANL/EAD/TM-79, Argonne National Laboratory, Argonne, Illinois.</li><li>• U.S. Army. 2001. Controlled Burn Air Sampling Technical Report. Aberdeen Proving Ground. August.</li><li>• SAIC. 2006a. Deer Tissue Sampling Results, Depleted Uranium Impact Area Site Characterization, Jefferson Proving Ground, Madison, Indiana. August.</li><li>• SAIC. 2007a. Well Location Selection Report. Depleted Uranium Impact Area Site Characterization: Soil Verification, Surface Water Gauge Installation, Fracture Trace Analysis, and Electrical Imaging, Jefferson Proving Ground, Madison, Indiana. Final. Prepared for U.S. Department of Army Contract No. W912QR-04-D-0019. January.</li></ul></li></ol>
Cumulative Impacts	<ol style="list-style-type: none"><li>1. Cumulative impact assessments are informed by a broad understanding of the regional conditions, as well as stakeholder (including State/local government) interest and feedback on various resource issues and trends. The Army's cumulative impact analysis in the ER did not identify any past, present, or reasonably foreseeable future actions that have impacted or would impact the same environmental resources as those impacted by the Army's proposed action. Identify and provide information on past, present, and reasonably foreseeable future actions that would need to be considered in a cumulative impact analysis in the NRC's EIS, e.g., as described in the Council on Environmental Quality's (CEQ's) guidance document, <i>Considering Cumulative Effects Under the National Environmental Policy Act</i>, January 1997 (<a href="http://energy.gov/sites/prod/files/nepapub/nepa_documents/RedDont/G-CEQ-ConsidCumulEffects.pdf">http://energy.gov/sites/prod/files/nepapub/nepa_documents/RedDont/G-CEQ-ConsidCumulEffects.pdf</a>). For example, the types of actions and information that would need to be considered for potential applicability to the EIS cumulative impact analysis include, but may not be limited to the</li></ol>



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	<p>following:</p> <ul style="list-style-type: none"><li>• Major projects and polluting industries in the area (e.g., coal-fired power plant)</li><li>• Mineral extraction activities</li><li>• Regional water sources, uses, projections</li><li>• Other sources of radiation exposure in the area (actual and potential)</li><li>• Known or potential sources of surface water or groundwater pollution upgradient of the DU Impact Area (e.g., other projects, industries, or activities)</li><li>• Future development projections for the region, including land development, housing, new transportation infrastructure, etc.</li><li>• Effect of maintaining JPG access restrictions on regional transportation</li><li>• Land use plans for properties adjacent to the DU Impact Area and the JPG boundary</li><li>• Regional air quality conditions</li><li>• Potential chemical hazards information for JPG unexploded ordnance (UXO):<ul style="list-style-type: none"><li>○ available hazard characterization and assessment documentation;</li><li>○ applicable regulatory authorities, programs, oversight/enforcement roles and responsibilities;</li><li>○ overall status of UXO-related actions including key past, present, and reasonably foreseeable future actions (e.g. Army, State, EPA);</li><li>○ potential long-term impacts</li></ul></li></ul> <p>2. Provide information on the impacts to the environment (e.g., on land use, soils, groundwater, ecological resources, etc...) that would result from the incremental impacts of the proposed action when added to the impacts of other identified past, present, and reasonably foreseeable future actions on the same resources, e.g., as described in the CEQ guidance identified above.</p> <p>3. A reference from the ER and DP needed from the Army to support the EIS analysis of cumulative impacts is as follows:</p> <ul style="list-style-type: none"><li>• MWH (Montgomery Watson Harza). 2002. Draft Final Remedial Investigation, JPG. Prepared for USACE Louisville District under Contract DACW27-97-D-0015, Task Order 008. March.</li></ul>
Cost-Benefit Analysis	Provide information on the costs and benefits of detecting, removing, and disposing of DU contained in areas of the DU Impact Area where the bulk of DU was deposited during DU munitions testing. It is the NRC's understanding that the bulk of DU penetrators remaining within the DU Impact Area are located in a trench created by DU munitions testing along the 500 Center Line position.

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**Preliminary Information Needs from the U.S. Army for the  
U.S. Nuclear Regulatory Commission's (NRC's) Jefferson Proving Ground (JPG)  
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	During the December 2, 2014, site visit, the Army's contractor indicated that about 90 percent of the remaining DU was contained within the 500 Center Line trench.
Mitigation Measures	<ol style="list-style-type: none"><li>1. Provide information to explain what plans are in place to ensure that future contaminant migration, if any is ever found or could occur, is remediated before migrating offsite.</li><li>2. Provide information to describe existing or planned measures that will remediate or contain the UXO and any other hazardous wastes at the JPG DU Impact Area, or to justify that such measures would not be needed.</li></ol>



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

DEC 18 2014

REPLY TO THE ATTENTION OF: E-19J

Cindy Bladey  
Office of Administration  
Nuclear Regulatory Commission  
Mail Stop 3 WFN-06-A44M  
Washington, D.C. 20555-0001

**Re: Notice of Intent to prepare an Environmental Impact Statement and Conduct a Scoping Process for the Proposed Termination of the NRC Materials License for the Depleted Uranium Impact Area at Jefferson Proving Ground, Madison, Jefferson County, Indiana**

Dear Ms. Bladey:

The U.S. Environmental Protection Agency has reviewed the referenced Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS)<sup>1</sup>, 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 termination of Materials License SUB-1435 for the Depleted Uranium Impact Area (DU Impact Area) at Jefferson Proving Ground (JPG), under restricted conditions. The proposed action is to leave an estimated 162,000 pounds of unexploded ordnance (UXO) in place, and subsequently secure the DU Impact Area with fencing and signage.

Based on our review, we have the following comments regarding water quality, climate change and stormwater management, site safety, remediation, land-use planning, and consultation documentation.

Water Quality

The draft EIS should analyze how the proposed action may affect Clean Water Act Section 303(d) listed water bodies and their listing status as impaired. We recommend this section of the document discuss current impairments and how the proposed action may affect the impairment, either positively or detrimentally. A list of nearby impaired streams can be found at <http://www.epa.gov>.<sup>2</sup>

<sup>1</sup> See: "Jefferson Proving Ground License Amendment Application for Source Material License" Federal Register. 79:212 (November 3, 2014) p. 65256-65258.

<sup>2</sup> A list of Indiana impaired water bodies can be found at: <http://www.epa.gov/waters/ir/index.html>

### Climate Change and Stormwater Management

Over the past 50 years, the amount of rain falling during the most intense 1% of storms increased by almost 20%,<sup>3</sup> resulting in more expansive flooding. The draft EIS should utilize climate modeling to estimate the frequency and intensity of potential flood events in the future, and analyze that data to determine if future flooding events are likely to have any physical or chemical impacts on the UXO or DU. If impacts are anticipated, the draft EIS should describe potential mitigation strategies.

### Site Safety

We understand clean-up of the remaining UXO at JPG, some of which contains depleted uranium, may not be feasible due to safety and cost issues. The draft EIS should contain a benefit-cost analysis for each alternative, with special emphasis on modeled future health and environmental costs to society that may occur as a direct result of water and/or air pollution caused by each alternative.

For each alternative presented, the draft EIS should explain which party is/will be responsible for ensuring the site is safe for humans (including trespassers) and wildlife. In particular, we understand this site is used by at least one Federally-listed threatened or endangered species, the Henslow sparrow.

The draft EIS should clearly explain if environmental monitoring will continue as part of the proposed action, which party will be responsible for ensuring contaminants do not migrate off-site, what parameters will be monitored, and for what time period monitoring would continue at this site. If environmental monitoring is not proposed, the draft EIS should provide rationale for the decision not to monitor, preferably using data from other, similar sites, and explain what plans are in place to ensure any future contaminant movement is remediated before migrating off-site.

### Remediation

Though ammunition casings on UXO are designed to withstand weathering for several decades, weathering will occur over the long-term, thus leaving radioactive and other hazardous materials susceptible to erosion. Currently, the U.S. Army (Army) intends to leave most of the UXO in place. NRC's draft EIS should describe existing or planned measures that will remediate or contain the UXO and any other hazardous wastes at JPG. This may include implementing one or more non-hazardous passive waste treatment systems that are described in *Technology Reference Guide for Radioactively Contaminated Media*.<sup>4</sup>

### Compliance with other Laws & Statutes

The draft EIS should list all required permits associated with the proposed action, and explain how compliance with other laws and statutes will occur.

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<sup>3</sup> See EPA guidance on climate change adaptation for the Midwestern U.S. at: <http://www.epa.gov/climatechange/impacts-adaptation/midwest.html>

<sup>4</sup> U.S. Environmental Protection Agency. 2007. *Technology Reference Guide for Radioactively Contaminated Media*. Document EPA 402-R-07-004. <http://www.epa.gov/rpdweb00/docs/cleanup/media.pdf>.

Land-Use Planning

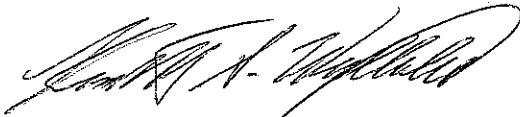
Please include in the draft EIS how the proposed action fits into existing county or local land-use plans. Similarly, the draft EIS should succinctly explain what efforts have been made to engage the public, government agencies, and local community groups.

Consultation Records

EPA recommends attaching consultation documents regarding historic resources (Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology), wetlands (U.S. Army Corps of Engineers), and Federal and state threatened and endangered species (U.S. Fish and Wildlife Service and the Indiana Department of Natural Resources) with the draft EIS. Please include, in the draft EIS, a list of agency contacts.

EPA is available to discuss these NOI/scoping comments at your convenience. Please feel free to contact Mike Sedlacek of my staff at 312-886-1765 or via email at [sedlacek.michael@epa.gov](mailto:sedlacek.michael@epa.gov).

Sincerely,



Kenneth A. Westlake, Chief  
NEPA Implementation Section  
Office of Enforcement and Compliance Assurance

cc: Stephen Lemont, Nuclear Regulatory Commission  
Dr. Joe Robb, Big Oaks National Wildlife Refuge, U.S. Fish and Wildlife Service  
Kevin Herron, Indiana Department of Environmental Management  
Paul Cloud, U.S. Army

