June 17, 2009

TO: Interested Parties

FROM: Fernald Preserve Natural Resources Trustees

SUBJECT: Fernald Preserve DRAFT Natural Resource Funds Use Plan

The United States Department of Energy Fernald Preserve (FP) Natural Resource Damages (NRD) Claim Settlement was documented in a Consent Decree entered by the court on November 11, 2008. One of the conditions of the Settlement was for the United States on behalf of the DOE to deposit $13,750,000 into an interest-bearing escrow account in the Registry of the United States District Court for the Southern District of Ohio. These funds are to be used to restore, replace or acquire the equivalent of injured Natural Resources at and in the vicinity of the Fernald Preserve in a manner consistent with the Restoration Plan, and to reimburse the State of Ohio's Natural Resource Damage Assessment Costs. This portion of the Settlement is being implemented by the Fernald NRD Trustee Council composed of representatives of the Department of Energy, the Ohio Environmental Protection Agency and the United States Department of Interior represented by the United States Fish and Wildlife Service.

Pursuant to the Consent Decree (CD) implementing the Settlement and the FP Natural Resource Restoration Plan (NRRP), the NRD Trustees are to develop a plan for the use of the funds in the restoration account. This plan will address the selection and implementation of projects to be paid for from the restoration account, the acquisition, ownership, and maintenance of any land purchased using the funds from the restoration account, and annual reports on the use of the restoration account and on the progress of the selected fund projects.

The attached DRAFT Natural Resource Funds Use Plan addresses these requirements of the NRRP and CD. This draft plan is being made available to interested parties for review and comment. A public availability session is being scheduled for July 8, 2009 at the Fernald Preserve. At this session, the FP NRD Trustees will discuss the draft plan and accept comments and suggestions from the public. A comment period will be open until August 8, 2009. After close of the comment period, the Trustees will review all comments, incorporate appropriate comments/suggestions and finalize the plan.

For additional information or to provide written comments, please contact:

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