

This document prepared by
Katy Kates, Realty Officer
U.S. Dept. of Energy, P.O. Box 2001
Oak Ridge, Tennessee 37831

NOTATION ON OWNERSHIP RECORD FOR NOTIFICATION
TO POTENTIAL OWNERS/USERS OF GROUNDWATER RESTRICTIONS AT THE
PORTSMOUTH GASEOUS DIFFUSION PLANT, OHIO

This action is implemented in accordance with the Resource Conservation Recovery Act (RCRA) of 1976, the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986, and to the extent practicable, the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), and the Hazardous and Solid Waste Amendments (HSWA) of 1984.

The United States of America, Department of Energy (DOE) is the current jurisdictional owner of the site identified as the Portsmouth Gaseous Diffusion Plant located at Piketon, Ohio. This site is depicted on a survey map titled *Dept. of Energy, Portsmouth Gaseous Diffusion Plant, Pike County, OH, Boundary Survey for Portsmouth Plant*, dated February 2003, prepared by Barge, Waggoner, Sumner and Cannon, Inc. The maps are attached as Exhibit "A" to this Notation.

The operator/owner (United States of America, Department of Energy) gives notice that certain activities occurred on the site that may have resulted in contamination of the groundwater under a limited portion of the site. Remedial actions are being and have been implemented to address groundwater contamination in those areas.

The site is being remediated under a Consent Decree between DOE and the State of Ohio (No. C2-89-732, S.D. OH, 1989) and an Administrative Consent Order (ACO) signed by DOE, the United States Environmental Protection Agency (EPA), and the State of Ohio (EPA Docket No. v-w-90-R-03). Pursuant to these agreements, the United States EPA and the Ohio EPA have issued Decision Documents to the United States Department of Energy (DOE) which set forth selected remedial actions at the DOE Portsmouth Gaseous Diffusion Plant (PORTS), in Piketon, Ohio.

DOE hereby places the following restrictions and/or prohibitions of future use of the groundwater. With the exception of ongoing environmental restoration, maintenance, investigation and sampling, including drilling of necessary monitoring wells to discern the types and extents of possible contamination by DOE, its contractors, or persons acting on DOE's behalf, the current owners or users shall not permit to be constructed any additional wells, and shall not extract, utilize, consume, or permit to be extracted, utilized, or consumed any water from the aquifer below the surface of the ground within the boundary of the property for the purpose of human consumption. This groundwater restriction remains in effect until such time as the groundwater or portions thereof have been tested and found to meet applicable standards for human consumption, and the restriction is removed through revision or deletion of this Notation by DOE. In addition, any other use of groundwater, not already prohibited by this restriction, shall require the advance written permission and approval of DOE.

DOE shall continue to monitor and analyze the groundwater through approved investigative techniques. Should the land be conveyed to another party, notice of the restrictions and/or

prohibitions cited herein shall be placed within the conveyance document(s) noting such restrictions and/or prohibitions on use.

Title to the land, which is the subject of this Notation, was originally acquired by the United States of America in connection with the Portsmouth Gaseous Diffusion Plant. The ownership remaining, after revisions were made to accommodate the various land disposals occurring subsequent to the original acquisition, is shown on the maps cited above and attached as Exhibit "A".

The Realty Officer hereunto subscribes her name on this 22nd day of September 2003.

Signed and acknowledged
In the presence of:

M. Jim Stephenson
Notary Public

Katy Kates
Katy Kates
Realty Officer
U.S. Department of Energy

My Commission expires on 9/23/2003



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*See Plat Cabinet 4 slides 259-260
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