



Resolution No. 6
Fernald Preserve Natural Resource Trustees

Re: Reimbursement of \$390,500 to Ohio for Natural Resource Damage Assessment Costs

WHEREAS, the Fernald Preserve Trustee Council was established pursuant to the July 2001 Memorandum of Understanding entered into by the Ohio Environmental Protection Agency ("Ohio EPA"), the United States Department of Energy ("DOE"), and the United States Department of the Interior ("DOI") (collectively, the "Trustees");

WHEREAS, the Natural Resource Damage Consent Decree for the Fernald Preserve, dated November 11, 2008, required 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 ("Escrow Account"), and on February 17, 2009, the United States on behalf of DOE deposited \$13,750,000 into the Escrow Account;

WHEREAS, the Natural Resource Damage Consent Decree for the Fernald Preserve, further provides that a portion of the money in the Escrow Account shall be used to reimburse Ohio for its Natural Resource Damage Assessment Costs;

WHEREAS, the Natural Resource Damage Consent Decree for the Fernald Preserve, further provides that the Trustees shall jointly determine the amount of Ohio's Natural Resource Damage Assessment Costs and shall make their determination pursuant to and consistent with the terms of their July 2001 Memorandum of Understanding, Appendix C; provided however, that in no event shall the reimbursed amount of Ohio's Natural Resource Damage Assessment Costs be less than \$275,000 or more than \$500,000;

NOW THEREFORE BE IT RESOLVED that the Trustee Council agrees, by unanimous consent, that the State of Ohio be reimbursed \$390,500.00 for Ohio's Natural Resource Damage Assessment Costs.

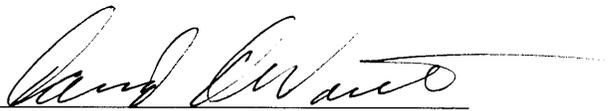
FURTHER BE IT RESOLVED that the Trustee Council agrees, by unanimous consent, that a request be made to the Court to authorize the transfer of \$390,500.00 from the Escrow Account to the Treasurer of the State of Ohio to the credit of the Hazardous Waste Clean-up Fund; and.

FURTHER BE IT RESOLVED that the Trustee Council agrees, by unanimous consent, that a request be made to the Court to authorize the transfer of the remainder of the funds from the Escrow Account to the Treasurer of the State of Ohio to the credit of the Natural Resource Damages Fund.

Resolution No. 6
Fernald Preserve Natural Resource Trustees

DATED this 18th day of May, 2010.

United States Department of the Interior
U. S. Fish and Wildlife Service

A handwritten signature in cursive script, appearing to read "David De Vault", written over a horizontal line.

By: David De Vault, Columbus, Ohio Field Office

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DATED this 18th day of May, 2010.

Ohio Environmental Protection Agency

A handwritten signature in black ink, appearing to read "Thomas A. Schneider". The signature is written in a cursive style with a horizontal line underneath it.

By: Thomas A Schneider, Fernald Project Manager

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DATED this 18th day of May, 2010.

United States Department of Energy

By: Ray Plieness, Director of Site Operations, Office of Legacy Management