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The Dow Chemical Company
Midland, Michigan 48674

2020 Dow Center
May 23, 2000

Mr. Sam Nalluswami
U.S. Nuclear Regulatory Commission
11545 Rockville Pike
Rockville, MD 20852

RE: REQUEST FOR APPROVAL OF AN ALTERNATIVE SCHEDULE FOR THE
COMPLETION OF THE DECOMMISSIONING OF BAY CITY SITE UNDER
NRC LICENSE STB-527

The Dow Chemical Company (TDCC) is requesting approval of an alternative schedule in order to complete the decommissioning of the Dow Bay City site (License STB-527) per 10 CFR 40.42 (i).

The initial decommissioning plan, approved on July 7, 1996, was for the removal of approximately 48,000 cubic yards of material stockpiled in Bay City, Michigan and the excavation and removal of approximately 12,000 cubic yards in Midland, Michigan. The original scope of work described in the approved decommissioning plan was completed as scheduled by October 31, 1997.

Although the original scope of the decommissioning plan was completed as soon as practicable, and within 24 months of initiation of decommissioning per 10 CFR 40.42 (h)(2), new information regarding residual surface and subsurface contamination surrounding the location of the former stockpile at Bay City has necessitated additional surveying and remediation of various areas. This new information, as well as TDCC's proposed path forward for remediating the residual contamination, was presented to you and other NRC staff during a May 11, 2000 meeting at the Bay City site. Due to this new information, TDCC is currently not in compliance with the 24-month time limit for completing decommissioning.

TDCC is currently preparing a detailed plan and schedule for completion of the work necessary to terminate License STB-527, which will be proposed as a supplement to the current decommissioning plan through a license amendment request. TDCC anticipates meeting with NRC staff to discuss the supplement to the decommissioning plan within the next 60 days.

TDCC anticipates completion of decommissioning as early as October 31, 2002, but no later than October 31, 2003, based on preliminary schedule assumptions presented during the May 11, 2000 meeting. TDCC's schedule assumes a two-year decommissioning

schedule following timely NRC review and approval of the supplement to the decommissioning plan. Therefore, **TDCC respectfully requests the approval of an alternative schedule that will extend the completion of decommissioning to October 31, 2003.**

TDCC is confident that the proposed alternative schedule is not detrimental to the public health and safety and is in the public interest. TDCC's analyses suggest that due to the unique technical challenges presented by the below-watertable subsurface contamination, additional time is needed to amend and implement the decommissioning plan in a way that minimizes radiation exposure to workers and reduces environmental harm.

If you have any questions please let me know.

A handwritten signature in black ink, appearing to read "Ben Baker". The signature is fluid and cursive, with a large initial "B" and "B".

Ben Baker
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