

August 3, 2001

Lieutenant Colonel Ronald P. Alberto, Commander
Lake City Army Ammunition Plant
Department of the Army
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Independence, MO 64051-1000

Gene Gunn, Chief
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U.S. Environmental Protection Agency
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Kansas City, Kansas 66101

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Federal Facilities Section
Division of Environmental Quality
Missouri Department of Natural Resources
205 Jefferson Street
Jefferson City, Missouri 65105

SUBJECT: REGULATORY OVERSIGHT OF LAKE CITY ARMY AMMUNITION PLANT
AREA 10 REMEDIATION

Gentlemen:

I am responding to your letter dated July 26, 2001. In that letter you noted that due to delays in completing work on the Engineering Evaluation and Cost Analysis, the Department of the Army (the licensee) proposed to perform a non-time-critical removal action of Lake City Army Ammunition Plant (LCAAP) Area 10 under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The licensee will address all contaminants of concern that may be present, including depleted uranium (DU). The parties (the U.S. Environmental Protection Agency (EPA), the Missouri Department of Natural Resources (MDNR), and the licensee) agreed that the licensee will remediate Area 10 of the LCAAP under the provisions of Executive Order 12580, CERCLA, and the LCAAP Federal Facility Agreement (FFA). This LCAAP Area 10 removal action will, among other things, satisfy U.S. Nuclear Regulatory Commission (NRC) Site Decommissioning Management Plan cleanup criteria for DU in soil (35 pCi/g). EPA and MDNR will have regulatory oversight for such a response action under the LCAAP FFA. The NRC license will remain in effect until this removal action and any other LCAAP removal action related to NRC's letter dated October 20, 1998, are completed.

Based on a review of this agreement, we have determined that this approach is equivalent to the deferral process described in NRC's Staff Requirements Memorandum, dated June 13, 2001, and, therefore, acceptable to NRC. Please note that NRC reserves the right to review any documentation upon which either EPA, MDNR or the licensee base their finding that Area 10 satisfies NRC cleanup criteria. Also, NRC reserves the right to perform a confirmatory survey of this area. If you have any questions please contact Stewart Brown, of my staff, at (301) 415-6605.

Sincerely,

/RA/

Larry W. Camper, Chief
Decommissioning Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

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Sincerely,

Larry W. Camper, Chief
Decommissioning Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

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| OFC | DCB | | DCB | | DCB | |
| NAME | S. Brown* | | R. Nelson | | L. Camper | |
| DATE | 8/01/01 | | 8/01/01 | | 8/3/01 | |

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*See Previous Concurrence