

STATE OF MISSOURI  
**DEPARTMENT OF NATURAL RESOURCES**

Bob Holden, Governor • Stephen M. Mahfood, Director

DIVISION OF ENVIRONMENTAL QUALITY  
P.O. Box 176 Jefferson City, MO 65102-0176

July 9, 2001

Mr. Robert W. Sharkey  
Director Regulatory Affairs  
CE Nuclear Power, LLC/Westinghouse Electric Company  
3300 State Road P  
Festus, MO 63028

Dear Mr. Sharkey:

In a letter dated December 5, 2000 you responded to the Missouri Department of Natural Resources comments on the Hydrogeologic Investigation and Groundwater, Soil and Stream Characterization Report, and the Second, Third and Fourth Sampling Event Reports prepared by Leggette, Brashears & Graham, Inc. (LB&G) for Combustion Engineering's Hematite facility sent to you on September 20, 2000. In that letter you informed the Department that it was CE Nuclear Power (CE) was acquired by Westinghouse Electric Company LLC and that it was CE's intention to cease operation at the Hematite facility in the Spring of 2001 and to decommission the facility under the authority of Nuclear Regulatory Commission.

Due to the impending decommissioning of Hematite facility, I requested a tour of the facility before operation ceased. Your cooperation in arranging a tour of the facility for myself and other department staff is greatly appreciated. The tour was very educational and informative.

In CE's response letter you addressed most of the departments general concerns and requested that the specific details be address in subsequent work plans for further characterization as part of the decommissioning process. The department would agree that many of the departments concern can be addressed satisfactorily that way. However, the department's concerns regarding the quality and usability of the radiological data generated during the previous Hydrogeologic Investigation and the Groundwater, Soil and Stream Characterization and quarterly monitoring need to addressed prior to the submittal of any subsequent work plans or any data collection activities.

The department's specific comments regarding radiological data quality and usability need to be addressed and appropriate corrective action taken to prevent data quality problems in future sampling events. Data generated in support of the decommissioning process and cleanup of contaminated environmental media must be of a known and documented quality. The existing radiological data needs to be quantified as to its bias, uncertainty and its usability. Those comments previously provided to you are enclosed. The department would appreciate a timely response.

In discussions with you prior to the March facility tour I explained that the department had completed a Site Inspection (SI) under the federal Comprehensive Environmental

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Response Compensation Liability Act ( CERCLA) through a cooperative agreement with U.S. Environmental Protection Agency (EPA). The purpose of the SI was to evaluate whether the site would qualify for placement on the National Priorities List (NPL). I also informed you that the department was considering evaluating the site for placement on the Registry of Confirmed Abandoned or Uncontrolled Hazardous Waste Disposal Sites in Missouri. If the contamination at site is adequately addressed through the decommissioning process the department will defer pursuing these options.

In your letter and during our discussion in March you indicated that CE was willing to work closely with the department to address our concerns regarding the soil, groundwater and surface water contamination at the site. We discussed the possibility of CE entering into an agreement with the department through the department's Superfund Cooperative program. I explained such an agreement would include payment of the department's oversight cost. I would like to meet with CE to discuss this option in more detail in the near future.

Please contact me at your earliest convenience to set up a meeting and please do not hesitate to contact me if you have any questions at (573) 751-8629.

Sincerely,

HAZARDOUS WASTE PROGRAM

  
Julieann Warren, Chief  
Site Evaluation Unit.

c: Mr. Edwin Flack, NRC  
Mr. Steve Mahfood, DNR  
Mr. Ron Kucera, DNR  
Ms. Mimi Garstang, DGLS  
Mr. Scott Clardy, DOH  
Mr. Bryant Burnett, EPA Region VII  
Mr. John Bognar, LB&G  
Mr. Robert Geller, HWP  
Ms Cindy Kemper, HWP

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