



40-8027

STEVEN A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

BRAD HENRY
Governor

October 31, 2003

To: Mr. Myron Fleigel
NRC – Mail Stop 7J8
11545 Rockville Pike
Rockville, Maryland 20852-2738

From: Oklahoma Department of Environmental Quality (ODEQ) Radiation Management.

RE: Sequoyah Fuels: Copy of State Response to EPA

Dear Mr. Fleigel:

We are providing you with a copy of an ODEQ response to the EPA regarding a request for the written confirmation of the States position. Ms Rita Ware of EPA, Region 6, made this request that we transfer a copy of this record to you for your use.

Thank you for your time in this matter. Please contact us during normal business hours at (405) 702-5155 if you have any further questions.

Mike Broderick
Environmental Program Manager
Radiation Management Section
Land Protection Division

Attached: October 23, 2003 letter: ODEQ Response to Mark Potts, EPA Region 6

Cc:
Mr. John Ellis
Sequoyah Fuels Corporation
PO Box 610
Gore, Ok 74435



NMSD

Mike Brodeur



STEVEN A. THOMPSON
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OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

BRAD HENRY
Governor

October 23, 2003

Mark Potts, Chief
Hazardous Waste Enforcement Branch
U.S. Environmental Protection Agency – Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

Re: Sequoyah Fuels Corporation (SFC)

Dear Mark:

During the monthly DEQ-EPA conference call on October 9, 2003, between Carol Peters-Wagnon, Adolphus Talton, and Katy Griffith with EPA Hazardous Waste Enforcement and Tammi Johnson of my staff, Region 6 asked our opinion of allowing the Nuclear Regulatory Commission (NRC) to take over the SFC site and put it in their long-term surveillance program.

The DEQ, at this time, is opposed to the placement of SFC into the NRC's long-term surveillance program. The DEQ has discussed this issue with the Oklahoma Attorney General's Office and they too are opposed. Presently, the Oklahoma Attorney General's office is negotiating specific items related to the decommissioning of the SFC site and these negotiations need to continue on their present track without potential disruption that could occur if the NRC put SFC in their surveillance program at this time.

The DEQ has issued this letter in response to Ms. Rita Ware's call and email to Ms. Johnson on October 14, 2003, identifying that EPA must have written confirmation of the DEQ's position.

If you have any questions, please contact me at 405/702-5100.

Sincerely,

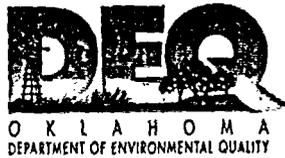
A handwritten signature in black ink, appearing to read 'Scott Thompson', written over a white background.

Scott A. Thompson, Director
Land Protection Division

SAT/TGJ

C: Martha Penisten, DEQ-Legal
Kelly Burch, Assistant Attorney General

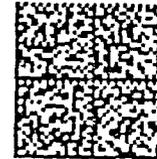




OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY
 LAND PROTECTION DIVISION
 707 NORTH ROBINSON, P.O. BOX 1677
 OKLAHOMA CITY, OKLAHOMA 73101-1677



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Mr. Myron Fleigel
 NRC Mail Stop 718
 11545 Rockville Pike
 Rockville, Maryland 20852-2738

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