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**VIACOM.**

December 9, 2003

Dr. Ronald R. Bellamy, Chief  
Decommissioning and Laboratory Branch  
U.S. Nuclear Regulatory Commission, Region I  
475 Allendale Road  
King of Prussia, PA 19406-1415

Subject: REQUEST TO REMOVE THE WALTZ MILL SITE FROM THE SDMP LIST  
License No. SNM-770 (Docket No. 070-00698)

Dear Dr. Bellamy:

The Waltz Mill Site was placed on the Site Decommissioning Management Plan (SDMP) list in March 1990. On November 27, 1996, in response to NRC concerns, the designation of the Waltz Mill Site as an SDMP site and completion of a comprehensive site characterization, the licensee (Westinghouse Electric Corporation) submitted the "Waltz Mill Facility SNM-770 Remediation Plan". This Plan included provisions for remediation of both designated retired facilities and soil areas on the Site, and was prepared with one of the stated objectives "to address the soil and groundwater issues so that the site can be removed from the SDMP list . . ."<sup>1</sup> On August 9, 1999, the SNM-770 licensee (Westinghouse Electric Company, LLC) submitted a "Revised Soil Plan" which revised the approach to soils remediation in the 1996 SNM-770 Remediation Plan to permit the removal of the Waltz Mill Site from the SDMP list, and pave the way for eventual unrestricted release of the site. NRC approved the Revised Soil Plan with the issuance of Amendment No. 21 to SNM-770 on January 19, 2000. Subsequently, a "Soil Remediation Action Support Survey Plan" was submitted on June 6, 2000.

Viacom Inc. (Viacom), the legal owner of the Waltz Mill Site, is pleased to submit the enclosed two reports to NRC for its review. The first, the "Final Status Survey Report," provides a detailed description of the final results of soils remediation in accordance with the 1999 Revised Soil Plan and the 2000 Soil Remediation Action Support Survey Plan. In particular, removal of the Liquid Waste Retention Basin and associated impacted soils, the likely primary source of ground water contamination within the former Solid and Liquid Waste Processing Area, has been completed. The second report, the "Radiological Reassessment of Remediated Nonoperational Soil Areas at the Waltz Mill Site," demonstrates that the as-left (current) profiles of residual activity in the non-operational areas (the focus of the 1999 Revised Soil Plan) are well below the corresponding criteria used for soil remediation and that unrestricted release of these areas would be possible well before 2024, the original objective of both the 1996 Remediation Plan and the 1999 Revised Soil Plan.

As NRC is aware, Viacom and Westinghouse are currently involved in some arbitration disputes regarding their respective obligations at the Waltz Mill Site. Perhaps for this reason, Westinghouse has not provided Viacom with its final comments on the two reports, despite having had them for over three months. Both reports have incorporated Westinghouse's comments on the initial drafts provided to them

<sup>1</sup> Letter to NRC from A. Joseph Nardi, Westinghouse Electric Company, LLC, dated November 27, 1996.

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earlier. Therefore, Viacom is submitting these two reports to NRC for its review without the benefit of Westinghouse's final comments as it is Viacom's belief and desire that the site can be and should be removed from the SDMP. Of course, Westinghouse may choose to provide NRC with comments directly.

In view of the substantial progress that has been made to remediate the Waltz Mill Site, as documented in the enclosed reports, Viacom respectfully requests that NRC initiate a process to remove the Waltz Mill Site from the SDMP list. Viacom would be pleased to assist NRC in this effort, as well as respond to any questions the NRC may have on the enclosed two reports. It would be unprecedented for the licensee of an SDMP site and the beneficial owner of the property (in this case, Westinghouse) not to support removal of the site from the SDMP list. However, Viacom cannot speak for Westinghouse in this regard and Viacom understands that NRC would consider any Westinghouse views on this matter.

Please call me should you have any questions concerning this request and submittal or if you desire further information.

Sincerely,



Richard K. Smith  
Vice President - Environmental Remediation

Attachments

Cc: U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
ATTN: Document Control Desk

Mr. James G. Yusko  
Pennsylvania Department of Environmental Protection  
400 Waterfront Drive  
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Mr. A. Joseph Nardi, Licensing Administrator  
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