

November 9, 2004

Charles M. Scott
Columbia Field Office
U. S. Fish and Wildlife Service
101 Park DeVille Drive
Suite A
Columbia, MO 65203-0007

SUBJECT: REQUEST FOR COMMENTS REGARDING ENDANGERED/THREATENED SPECIES AND CRITICAL HABITAT FOR BUILDING DECONSTRUCTION AT THE WESTINGHOUSE ELECTRIC COMPANY, LLC.'S HEMATITE SITE IN FESTUS, MISSOURI

Dear Mr. Scott:

The U. S. Nuclear Regulatory Commission (NRC) staff is requesting the U.S. Fish and Wildlife Service's comments regarding impacts to endangered and threatened species and critical habitat at the Westinghouse - Hematite site in Festus, Missouri. This letter is a follow-up to our telephone conversation on October 27, 2004, regarding building deconstruction at the Hematite site and requesting your comments for incorporation in an Environmental Assessment (EA). The NRC is considering Westinghouse's (the licensee) license amendment request for deconstruction and dismantlement to grade or base concrete slabs of the following buildings on the site: 101, 110, 115, 120, 230, 231, 235, 240, 245, 252, 253, 255, 256, 260, and 261. Radioactive contamination at the site consists of soil and building surfaces contaminated with uranium and technetium from licensed operations. The Westinghouse - Hematite site is located approximately 3/4 of a mile northeast of the unincorporated town of Hematite, Missouri, and approximately 5 1/2 miles west of the town of Festus, Missouri along the Joachim Creek. The entire site consists of approximately 220 acres.

The licensee has submitted a license amendment request for NRC approval in accordance with NRC regulations. The amendment request documents the actions that the licensee plans to undertake to deconstruct and dismantle the above mentioned buildings. The licensee will also complete other future principle decommissioning activities at the Westinghouse - Hematite in order to prepare the site for unrestricted release. Principle decommissioning activities after decontamination and dismantlement of the buildings include remediation of the remaining building slabs and foundations, removal of underground waste lines, remediation of contaminated soil, and offsite disposal of low-level radioactive waste and contaminated soil, followed by site stabilization and re-vegetation.

The licensee's amendment is currently being reviewed by the NRC staff in order to assure compliance with the NRC's environmental health and safety regulations. As part of the review, the NRC is required to complete an EA associated with the approval of the requested license amendment. The NRC requests your assistance in completing this EA with respect to the inter-agency consultation under Section 7 of the Endangered Species Act.

The licensee has noted that: "Because no unique, rare, threatened or endangered species are known to occur in the area where the buildings are located and because no ecological resources or other potential habitat for these species exist, adverse impacts to ecological

resources are not anticipated to result from implementation of the proposed building demolition activities. Observations made during pedestrian surveys of the building area of the site indicate that it contains neither sensitive nor unique ecological resources or the types of habitats to support these resources.” The NRC requests your review and comments on the presence of any endangered or threatened species or critical habitat that may exist at the Westinghouse - Hematite site. The NRC would also like to receive your comments regarding any impacts to relevant species or habitat that you identify from site-wide remediation and decommissioning at Westinghouse - Hematite site. If impacts are identified, please provide acceptable measures to avoid or mitigate those impacts.

If you have any comments, regarding NRC’s license amendment review, please provide them within 30 days so they may be fully considered. If you require additional information, please contact me at (301) 415-0023.

Thank you for your cooperation.

Sincerely,

/RA/

Amir Kouhestani, Project Manager
Decommissioning Directorate
Division of Waste Management
and Environmental Protection
Office of Nuclear Material Safety
and Safeguards

Docket No.: 070-00036
License No.: 070-00033

cc:
Ben Moore, MDNR
Larry Erickson, MDNR
Karen Craig, Westinghouse
Joe Nardi, Westinghouse

The licensee has noted that: "Because no unique, rare, threatened or endangered species are known to occur in the area where the buildings are located and because no ecological resources or other potential habitat for these species exist, adverse impacts to ecological resources are not anticipated to result from implementation of the proposed building demolition activities. Observations made during pedestrian surveys of the building area of the site indicate that it contains neither sensitive nor unique ecological resources or the types of habitats to support these resources." The NRC requests your review and comments on the presence of any endangered or threatened species or critical habitat that may exist at the Westinghouse - Hematite site. The NRC would also like to receive your comments regarding any impacts to relevant species or habitat that you identify from site-wide remediation and decommissioning at Westinghouse - Hematite site. If impacts are identified, please provide acceptable measures to avoid or mitigate those impacts.

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*see previous concurrence

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