

February 23, 2005

Mr. Michael B. Cook, Director
Office of Superfund Remediation and
Technology Innovation
U.S. Environmental Protection Agency
M.S. 5201G
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Mr. Cook:

I am writing in response to your letters dated December 21, 2004, concerning the Kerr-McGee Cimarron site, the Union Carbide Corporation site, and the Kaiser Aluminum Specialty Products site. On October 27, 2004 the U.S. Nuclear Regulatory Commission (NRC) notified the U.S. Environmental Protection Agency (EPA) that these sites have approved cleanup levels that exceed those given NRC 2002 Memorandum of Understanding on Consultation and Finality on Decommissioning and Decontamination of Contaminated Sites (hereafter referred to as the MOU). Thank you for your feedback on these notifications.

Following remediation activities at three sites, NRC staff will review the information contained in the Final Status Survey (FSS) reports and compare the remaining levels of residual radioactivity to the MOU trigger levels. If the FSS measurements exceed the trigger levels, a Level 2 consultation between the agencies will occur in accordance with the MOU to discuss any remaining issues.

NRC staff met with representatives of Kerr-McGee, Cimarron in a public meeting on December 16, 2004, and discussed the October 27, 2004, notification. You may access the summary of that meeting on the NRC Agencywide Documents Access and Management System (ADAMS) at Accession No. ML043270052.

If you have any questions regarding this letter or the decommissioning activities at the Kerr-McGee Cimarron, Union Carbide, or Kaiser Aluminum sites, please contact Mr. Larry Camper, Director of the Division of Waste Management and Environmental Protection at 301-415-7437.

Sincerely,

/RA/

Jack R. Strosnider, Director
Office of Nuclear Material Safety
and Safeguards

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Dear Mr. Cook:

I am writing in response to your letters dated December 21, 2004, concerning the Kerr-McGee Cimarron site, the Union Carbide Corporation site, and the Kaiser Aluminum Specialty Products site. The U. S. Nuclear Regulatory Commission's (NRC's) October 27, 2004, letters to you provided notification that these sites have approved cleanup levels that exceed the levels in the Environmental Protection Agency/NRC 2002 Memorandum of Understanding on Consultation and Finality on Decommissioning and Decontamination of Contaminated Sites (MOU). Thank you for your feedback on these notifications.

Following site remediation activities at these sites, NRC staff will review information contained in the Final Status Survey (FSS) reports and compare the remaining levels of residual radioactivity to the MOU trigger levels. If the FSS measurements exceed the trigger levels of the MOU, a Level 2 consultation between the agencies will occur in accordance with the MOU to discuss any remaining issues.

For your information, NRC staff met with representatives of Kerr-McGee, Cimarron in a public meeting on December 16, 2004, at which the NRC's October 27, 2004, letter about that site was discussed. The summary of that meeting is available on our Agencywide Documents Access and Management System (ADAMS) at Accession Number ML043270052.

If you have any questions regarding this letter or the decommissioning activities at the Kerr-McGee Cimarron, Union Carbide, or Kaiser Aluminum sites, please contact Mr. Larry Camper, Director of the Division of Waste Management and Environmental Protection at 301-415-7437.

Sincerely,
/RA/

Jack R. Strosnider, Director
Office of Nuclear Material Safety
and Safeguards

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*See previous concurrence

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