



Department of Energy

Chicago Operations Office
9800 South Cass Avenue
Argonne, Illinois 60439

August 9, 1995

Mr. V. Edward Castleberry
Operations Manager, BCLDP
Battelle Memorial Institute
505 King Avenue
Columbus, OH 43201

Dear Mr. Castleberry:

**SUBJECT: FIVE YEAR REVIEW OF THE BCLDP ENVIRONMENTAL ASSESSMENT
(EA)**

Reference: Letter, Castleberry to Thomas, dated June 23, 1995, same subject

In response to your letter of June 23, 1995, we have reviewed pertinent documents related to the National Environmental Policy Act (NEPA). It is our view that a five-year review of the project's Environmental Assessment is not required by regulations or DOE Orders. The citation referenced in your letter is for site-wide assessments; a model not applicable to the BCLDP. However, we request that the process for preparing the updated plan for decontamination of the West Jefferson site include an assessment of whether proposed activities have the potential for creating impacts beyond those assessed in the 1990 EA.

If you have any questions or comments, please contact Tom Baillieul at extension 4-7226.

Sincerely,

A handwritten signature in cursive script, appearing to read "James W. Thomas".

James W. Thomas, Project Manager
Battelle Columbus Laboratories Decommissioning Project

JWT/TAB/TMT/psr/C95-169

cc: R. Carlson, Battelle
C. Voth, Battelle
G. Scott, Battelle
S. Layendecker, Battelle
B. Patel, MACTEC

15343

ENV-EA/FONSI

ST-TB

BP

TT

DH

June 23, 1995



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Mr. James W. Thomas
Project Manager
U.S. Department of Energy
Chicago Operations Office
505 King Avenue
Columbus, OH 43201

Dear Mr. Thomas:

**Five-Year Review of the BCLDP
Environmental Assessment**

The Battelle Columbus Laboratories Decommissioning Project (BCLDP) completed an Environmental Assessment (EA) in June 1990, and received a Finding of No Significant Impact (FONSI) also in June 1990 by the Department of Energy (DOE). These were prepared for the project in accordance with DOE Order 5440.1C, "*National Environmental Policy Act Compliance Program*." This order is still considered to be a contractual requirement of the BCLDP. Under DOE requirements, a five-year review would be required of the EA either as a result of the order or the codified rules of 40 CFR 1021, "*National Environmental Policy Act Implementing Procedures*", Sections 1021.330(d) and (e). However, as a NRC licensee, Battelle also falls under the requirements of 10 CFR 51, "*Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions*" which addresses the implementation of NEPA to NRC licensees. Under this rule, it is clear that a five-year review is unnecessary.

The decision to perform the five-year review, and any subsequent update, appears to be solely the decision of the DOE. The BCLDP Environment Support Group would be pleased to assist your organization in performing this review and update if you desire. This scope of work could be addressed through current funding (if available) or by a PCR.

Please advise us of your decision in this regard at your earliest convenience. For further information on this topic, contact Eddie Swindall (4-5124) or Steve Layendecker (4-3885).

Sincerely,

V. Edward Castleberry
Manager
BCLDP Operations

VEC:jv