

May 13, 2011

Mr. John J. Hayes
U.S. Nuclear Regulatory Commission
Mail Stop T8-F5
Washington, DC 20055-0001

RE: Draft Environmental Assessment and Draft Finding of No Significant Impact Related to Issuance of Amendment No. 57 to Materials License No. SNM-33, Westinghouse Electric Company, LLC Hematite Decommissioning Project Located in Festus, Missouri; Docket No. 70-0036; April 2011.

Dear Mr. Hayes:

The Missouri Department of Natural Resources appreciates this opportunity to review and comment on the Draft Environmental Assessment and Draft Finding of No Significant Impact Related to Issuance of Amendment No. 57 to Materials License No. SNM-33, Westinghouse Electric Company, LLC Hematite Decommissioning Project Located in Festus, Missouri; Docket No. 70-0036; April 2011. We concur with the conclusion of this document that states “there are no significant environmental impacts” (i.e.: no adverse effects per the definition of an environmental impact per the National Environmental Protection Act) if the Derived Concentration Guidelines are modified or proven to achieve the protectiveness required for future intended uses of the property; a residential farmer.

We believe the proposed actions, the removal of contaminated soil and buried and decontamination of buildings left-in-place, is a necessity for protection of future users of the property, their neighbors, and to prevent further degradation to the groundwater supply. However, we remain concerned that:

1. Derived Concentration Guidelines listed in Table 1 may not achieve the intended protection of this action. We are appreciative of your involving us in the on-going discussions regarding this matter.
2. Investigation of current and potential impacts to groundwater is incomplete. Construction of bedrock wells for sampling within the interior of the facility has not yet been done nor has the fluctuations of radiological concentrations in overburden wells been explained.

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During and following the decommissioning, we will be seeking a remedy for contamination to the groundwater. We will need to:

1. Construct additional wells to complete the investigation,
2. Verify that the presence of radionuclides and other contaminants within the clay overburden is confined to the clay overburden and will not become a threat in the future, and
3. Address the threat in groundwater now existing by the presence of volatile organic compounds.

Comments on the draft document are enclosed with this letter. It is our opinion that the document is well written, clearly explaining both the existing site conditions and the upcoming action. If you have any questions, please contact my staff, Branden Doster at 573-526-2739. Direct any written inquires to his attention to the Department of Natural Resources, Hazardous Waste Program, P.O. Box 176, Jefferson City, MO 656102-0176.

Sincerely,

DIVISION OF ENVIRONMENTAL QUALITY



Aaron Schmidt
Acting Deputy Director

AS:egd

c: Branden Doster, Missouri Department of Natural Resources
Tim Duggan, Missouri Attorney General Office
Eric Gilstrap, Missouri Department of Natural Resources
Michele M. Gutman, WEC Esquire
Kevin Harris, Westinghouse Electric Co.

Enclosure:

Comments on the Draft Environmental Assessment and Draft Finding of No Significant Impact Related to Issuance of Amendment No. 57 to Materials License No. SNM-33, Westinghouse Electric Company, LLC Hematite Decommissioning Project Located in Festus, Missouri; Docket No. 70-0036; April 2011.

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- **C1. Section 6.1, Paragraph 1.** The acronym GAC is mentioned regarding previous ownership of the facility; however, the acronym GAC is not mentioned elsewhere nor defined.
- **C2. Section 6.2, Paragraph 2.** The description of nearby residences is limited to homes on Westinghouse property, the town of Hematite to the west, and the subdivision to the south of Joachim Creek. This section should be revised to recognize nearby residences to the north and east.
- **C3. Section 6.4.2, Paragraph 4.** The description of the evaporation ponds as existing needs revision. One of the ponds has been backfilled (still needs to be exhumed for cleanup) and the other has been modified into a sump for the french drain.
- **C4. Section 6.4.2, Paragraph 6.** The description of the NPDES permit having 3 outfalls needs to be modified. There are actually 6 permitted outfall monitoring points.
- **C5. Section 6.4.2, Paragraph 6.** The description of the NPDES permit non-radiological parameters needs to be modified. Oil & Grease and Fluoride should be removed. Flow and Ammonia as N should be added. Changes to the list may occur during the next few months as part of the renewal process and in preparation for beginning soil and sediment remediation activities.
- **C6. Section 6.4.3, Paragraph 2.** The description of the sand/gravel layer is that it can range in thickness from 0-4 feet under the facility and is 8 feet thick adjacent to the Joachim Creek. It is 0-4 feet thick typically under the facility (up to 8 feet thick near well PL06) and is generally 15 feet thick adjacent to Joachim Creek.
- **C7. Section 6.4.3, Paragraph 3.** Please provide references from which the water yield values were taken that are listed in this paragraph.
- **C8. Section 6.4.3, Paragraph 3.** Guidance for groundwater yield to be usable is given in EPA 570/9-91-004. It lists:
 - Homeowner - per resident - 50-75 gpd
 - Campgrounds - per camper - 15 gpd
 - Cottages seasonal per resident - 50 gpd
 - Restaurants - per patron - 7-10 gpd
- **C9. Section 6.4.3, Paragraphs 4, 7.** Change references of Jefferson City-Carter formation to Jefferson City-Cotter.
- **C10. Section 6.4.3, Paragraph, 7.** Discussions on closest public supply wells should include the PWSD well in Hematite that is maintained for emergency use.
- **C11. Section 7.10.1, Paragraphs 3.** This mentions the DCGLs coming from DP Chapter 5 as shown in ADAMS No. ML092330129. This ADAMS reference is no longer accurate for a table of DCGL values. Most of the values as shown in Table 1 of the EA will differ by small amounts from this ADAMS reference, and a few will differ significantly (see U-235+D values for Uniform DCGL).

