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## Joustra, Judith

From:

Norman, Yolande

Sent:

Friday, March 11, 2011 11:27 AM

To: Cc: Kauffman, Laurie

Subject:

Joustra, Judith; Chang, Lydia FW: SLDA Letter from US Army Corps of Engineers (UNCLASSIFIED)

Attachments:

SLDA NRC Letter of 11Mar11-Staffing Package.pdf

FYI.

The Corps officially provided the 90day notification letter to the NRC.

Yolande

----Original Message-

From: Huston, Kip R HQ02 (6)(6)

Sent: Friday, March 11, 2011 11:02 AM

To: McConnell, Keith; Norman, Yolande; Lemoncelli, Mauri; Chang, Lydia

Cc: Godfrey, Christine A HQ02; Graham, William H(b)(6) LRP; Church, Ronald H LRDOR; Lenart, William J LRP; Frothingham, David G LRB; D'Arcy, Kimberley A HQ02; DaCosta, Sharron H HQ02; Carey, Chris D

HQ02; Carter, Patricia A HQ02; Hawkins, Lenna C LRP

Subject: SLDA Letter from US Army Corps of Engineers (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Mr. McConnell,

Enclosed is subject letter signed by Ms. Christine Godfrey, Acting Chief, Environmental Community of Practice, this date.

Please let Ms. Kim D'Arcy or I know should you have any questions.

Kip Huston, PE

Chief, Environmental Support Team Environmental Community of Practice

US Army Corps of Engineers

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Classification: UNCLASSIFIED

Caveats: NONE

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## DEPARTMENT OF THE ARMY U.S. ARMY CORPS OF ENGINEERS 441 G STREET, NW WASHINGTON, DC 20314-1000

MAR: 1 1 2011

Mr. Keith McConnell
Deputy Director, Division of Waste Management and
Environmental Protection
U.S. Nuclear Regulatory Commission
Mail Stop T-7E18
Washington, DC 20555

Dear Mr. McConnell:

I am writing to you regarding the Shallow Land Disposal Area (SLDA) Formerly Utilized Sites Remedial Action Program (FUSRAP) site in Parks Township, Armstrong County, Pennsylvania. The Shallow Land Disposal Area facility is currently owned and operated by Babcock & Wilcox Technical Services Group of Lynchburg, Virginia and regulated by the Nuclear Regulatory Commission (NRC) under NRC License Number SNM-2001. Under §8143(a)(2) of Public Law 107-117, the US Army Corps of Engineers (USACE) is scheduled to begin a cleanup of radioactive waste at that site. Pursuant to that section, the USACE cleanup is to be accomplished consistent with the Memorandum of Understanding between the NRC and the USACE for Coordination of Cleanup & Decommissioning of the FUSRAP sites with NRC-licensed facilities, dated July 5, 2001 (hereinafter "MOU"). In accordance with that MOU, this letter constitutes notification that USACE is prepared to take physical possession of SLDA as of June 2, 2011. Thus, USACE is hereby requesting that NRC initiate action for the suspension of the license.

USACE will take physical possession of the SLDA site no later than June 2, 2011 for purposes of control of radiation from FUSRAP radioactive waste materials currently subject to NRC jurisdiction. The USACE will be responsible for the protection of the public health and safety from those radioactive materials consistent with the provisions of Title 10 Code of Federal Regulations (CFR) Part 20, "Standards for Protection Against Radiation" and other requirements consistent with the Comprehensive Environmental Response, Compensation and Liability Act of 1980, (CERCLA), Title 42 US Code § 9601, et seq. The USACE will conduct a response action at the SLDA site pursuant to FUSRAP authority and in conformance with CERCLA, with regard to such materials, to meet the standards required under Title 10 CFR Part 20.1402. The USACE has no objections, and will facilitate, NRC observing the in-process cleanup activities.

USACE is prepared to begin remediation of the material and will so do on either June 2, 2011, or upon receipt of the notification from the NRC that the license has been suspended, whichever comes later. This request has been coordinated with Mr. Steven W. Schilthelm and Mr. Terry Chalker of BWXT, and the licensee has consented to this schedule and to the suspension of the BWXT license. We appreciate the support and cooperation your staff has provided USACE in reviewing and commenting on our remedial action work plans. If you have any questions please contact Ms. Kimberley D'Arcy at (b)(6) or by e-mail (b)(6)

Sincerely,

Christine A. Godfrey

Acting Chief, Environmental Community of Practice

Christine a. Josppey

Directorate of Military Programs

## MILITARY PROGRAMS CORRESPONDENCE ROUTING SLIP DIRECTORATE OF MILITARY PROGRAMS ENVIRONMENTAL COMMUNITY OF PRACTICE (ECOP)

OFFICE SYMBOL: CEMP-CEP				
ACTION OFFICER/POC: Kimberly D'Arcy for Wat				
FROM: Kip Huston			DATE: 9 March 2011	
TO: Chief, ECOP				
	CIRCLE ONE	INITIALS	DATE	
Chief, ECOP (CEMP-CE)	APP / DIS		·	
Administrative Officer (CEMP-CE) Deputy Chief, ECOP (CEMP-CEC)	APP / DIS APP / DIS	· · · · · · · · · · · · · · · · · · ·		
Deputy Chief, DOD Team (CEMP-CED)	APP / DIS	441		
Deputy Chief, Environmental Support Team (CEMP-CE	P) APP / DIS	LAH	3/9	
			/	
REASON FOR DISAPPROVAL/COMMENT:				
SUBJECT: FUSRAP – NRC License Abeyance for Shallow	Land Disposal	Area (SLDA)	), Parks Township,	
Pennsylvania				
1. PURPOSE: The enclosed letter notifies the NRC that USA	CE is ready to	take control	of the SLDA cite from the	
current owner/operator Babcock & Wilcox Technical Service				
license in abeyance.		- 4		
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2. SUMMARY: USACE plans to take control of the SLDA si	te no later than	2 June 201	1 for the purposes of	
control of radiation from FUSRAP radioactive waste materia				
responsible for the protection of the public health and safety				
conduct a response action at the SLDA site pursuant to FUS	SRAP authority	and conforn	nance with CERCLA.	
USACE met with NRC during week of 28 February 2011 to	collaborate on t	SLDA toward	is allowing USACE to take	
over the site. At these meetings, the NRC stated it is ready to receive USACE letter requesting the license abeyance for SLDA.				
abeyance to SLOA.				
3. COORDINATION:				
Chris Carey, CECC-E – Sharron DaCosta, CECW-IP – see attached routing				
Jack Jurentkuff, CECW-IN – see attached routing				
Gary Loew, CECW-I – see attached routing				
CONTROL NUMBER 03-0911-1				

## ROUTING SHEET FOR ONL WORKS CORRESPONDENCE

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