

R. Bores

Docket 50-54

New York State Department of Environmental Conservation
50 Wolf Road, Albany, New York 12233



Thomas C. Jorling
Commissioner

May 18, 1990

Mr. James McGovern
Cintichem, Inc.
P.O. Box 816
Tuxedo, New York 10987

Dear Mr. McGovern:

Your revised emergency procedure, EP-18, for heavy rain alerts has been reviewed by the Department. The following comments are offered:

The Department's letter of May 17, 1990, suggested a modification to EP-18 wherein the retention pond would be kept at a depth of 20" or less. Your original procedure stated the pond would be kept at 20". The revised EP-18, received May 18, 1990, has eliminated this statement. Additionally, in step 5., which initiates the S-7 diversion, the retention pond maximum depth has been changed from 35" to 45" without any explanation.

Mr. W. Lynick, Bureau of Dam Safety, inspected the retention pond berm on May 1, 1990, and concluded that:

- Seepage through the dam and/or along the foundation/embankment contact is likely whenever pond levels rise above normal.
- The constructed embankment when subjected to high pond levels may exhibit slope instability and/or piping of the earthfill. Either of these two conditions could lead to failure of the dam.

Before this emergency procedure can be put into effect, please explain:

1. Why a 45" pond depth was selected for initiating the S-7 diversion.
2. At what depth will the retention pond normally be kept?
3. The telefaxed copy of pictures of the diversion structure was not clear enough to easily discern the structure's details. Please provide a detailed sketch of the structure or better copies of the photographs.

9006050383 900518
PDR ADOCK 0500001 4
P FDC

JFol
110

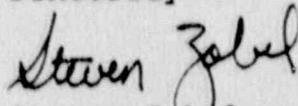


If you have any questions, please contact me at:

NYS Department of Environmental Conservation
Bureau of Radiation, Room 510
50 Wolf Road
Albany, NY 12233-7255

or (518) 457-2225.

Sincerely



Steven Zobel
Environmental Radiation
Specialist

cc: J. McGrath, USNRC
R. Bores, USNRC