

# ULMER & BERNE

ATTORNEYS AT LAW

Bond Court Building  
1300 East Ninth Street, Suite 900  
Cleveland, Ohio 44114-1583  
Telecopier (216) 621-7488 Telex 201999 UBLAW  
(216) 621-8400

In Columbus  
88 East Broad Street, Suite 1980  
Columbus, Ohio 43215-3506  
Telecopier (614) 228-8561  
Telephone (614) 228-8400

February 22, 1994

VIA HAND DELIVERY

Donaid Schregardus, Director  
Ohio Environmental Protection Agency  
1800 WaterMark Drive  
Columbus, Ohio

Re: Remediation of Bert Avenue and Harvard Avenue Sites,  
Newburgh Heights and Cuyahoga Heights, Ohio.

Dear Mr. Schregardus:

As you know, we serve as legal counsel to all of the residents who live in the neighborhood which surrounds the Bert Avenue Site in Newburgh Heights, Ohio. Over the past few years, we have sent to you a series of letters providing Ohio EPA with the opinion of our clients on the conditions which exist at the Bert Avenue and Harvard Avenue Sites. Certain of these letters expressed the reservations of our clients about Chemetron Corporation's previous activities at the Sites, and certain letters stated that our clients were opposed to any remedy by which low-level radioactive wastes and solid waste would be disposed at the Sites.

During the past several months, however, we have carefully reviewed the Final Remediation Plan (dated October, 1993) for the Bert Avenue and Harvard Avenue Sites. At the same time, we have also engaged in extensive discussions with representatives of Chemetron Corporation and McGean-Rohco, Inc. to resolve the concerns of our clients over the proposed remediation of these Sites.

As a result of our discussions, my clients have reached a series of agreements with Chemetron Corporation and McGean-Rohco, Inc. which will fully and finally resolve all of the concerns which the neighborhood residents have raised with respect to Chemetron Corporation's proposed remediation of the Sites. I am thus pleased to inform you that my clients are prepared to fully and unequivocally support Chemetron Corporation's plan to construct an on-site closure cells for the disposal of low-level radioactive wastes and other solid waste at the Bert Avenue and Harvard Avenue Sites.

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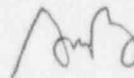
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The dispute over the disposal of low-level radioactive wastes in Newburgh Heights has been an issue which has been emotionally draining to the neighborhood residents for nearly two decades. In the past few months, significant progress has been made towards implementation of a final remedy for the Sites. In the spirit of cooperation which has finally made our agreements possible, we respectfully request that the Ohio Environmental Protection Agency take all reasonable steps to expedite its process for approving Chemetron's plan for construction of the on-site disposal cells. My clients are willing to support the approval process by execution of any waivers or such other consent forms which may be necessary. My clients firmly believe that the prompt approval of Chemetron's plan is in their individual and collective best interest, and they ask your Agency to move quickly to achieve our shared goal of a safe and cost-effective remediation of the Sites.

Please feel free to call with any questions you may have. My clients would also be pleased to meet with representatives of Ohio EPA to reiterate their request that the Agency quickly approve Chemetron's remediation plan.

Very truly yours,



Steven D. Bell

cc: Honorable Howard Metzenbaum  
Honorable John Glenn  
Honorable George Voinovich  
Honorable Lee Fisher  
Honorable Martin Hoke  
John T. Greeves, U.S. NRC, Rockville, Md.  
William Axelson, U.S. NRC, Region III  
William Skowronski, Ohio EPA, NEDO  
Kathy Jones, Ohio EPA, NEDO  
Robert Owen, Ohio Department of Health  
James O. Payne, Jr., AAG, EES

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