

Docket #: 40-8724

Mr. Terence G. Skiba
Ohio Historic Preservation Office
Ohio Historical Center
1982 Velma Avenue
Columbus, OH 43211-2497

Dear Mr. Skiba:

In response to your letter of March 11, 1994, we are providing the following documents you requested to complete your review of the Chemetron site in Cuyahoga Heights, OH:

1. Maps showing the location of the site (Enclosure 1).
2. Photos of the affected McGean-Rohco Company buildings on Harvard Avenue.
3. Streetscape photos.
4. History of the site and Chemetron operations (Enclosure 2).
5. Project description, past and present land use, information on construction dates, and size of the project (Enclosure 3).

If you have any questions or require additional information, please contact me at (301) 415-7229. We would appreciate it if you would complete your review by June 15, 1994.

Sincerely,

Timothy C. Johnson, Section Leader
Materials Decommissioning Section
Low-Level Waste and Decommissioning
Projects Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

Enclosures: As stated

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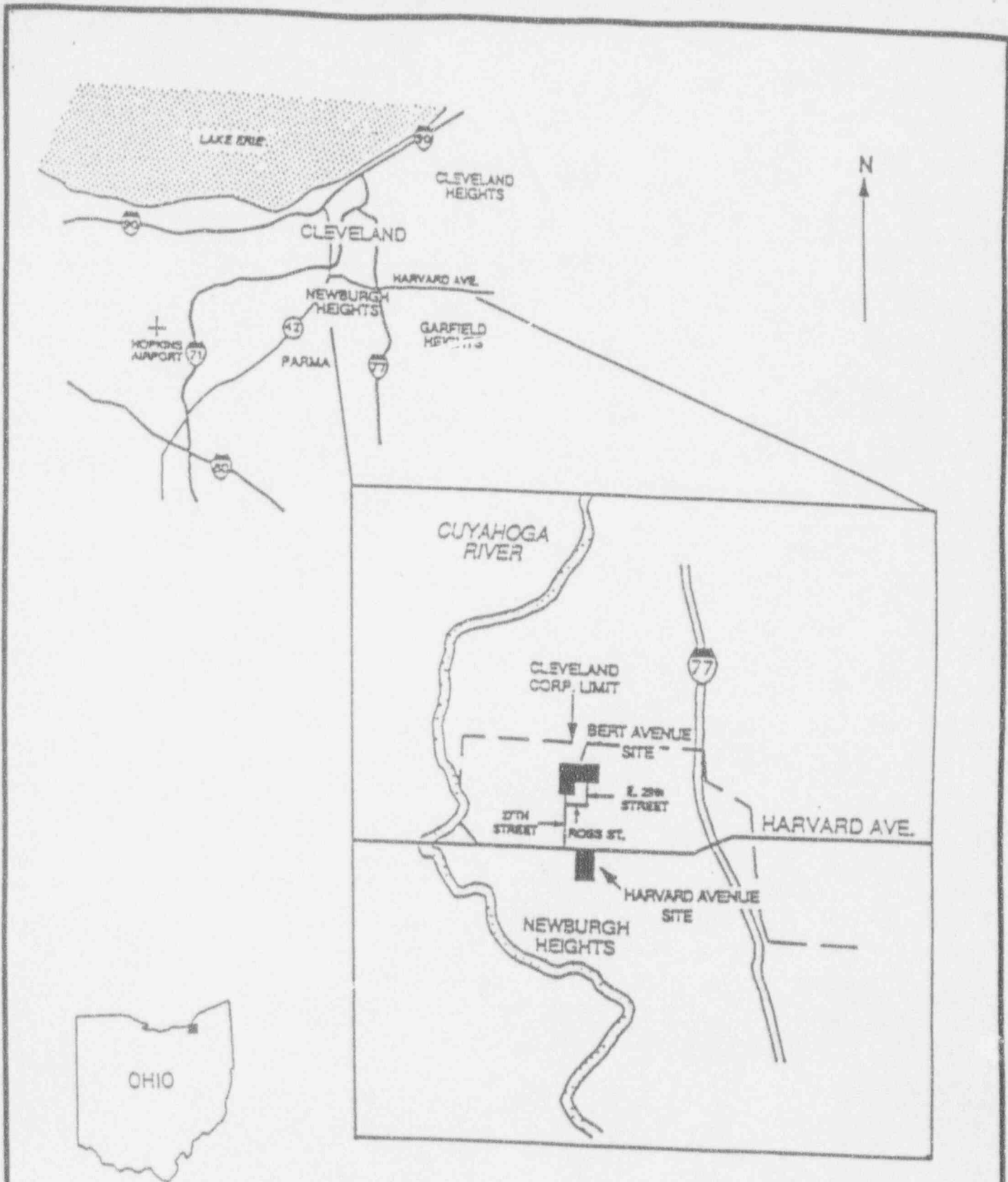
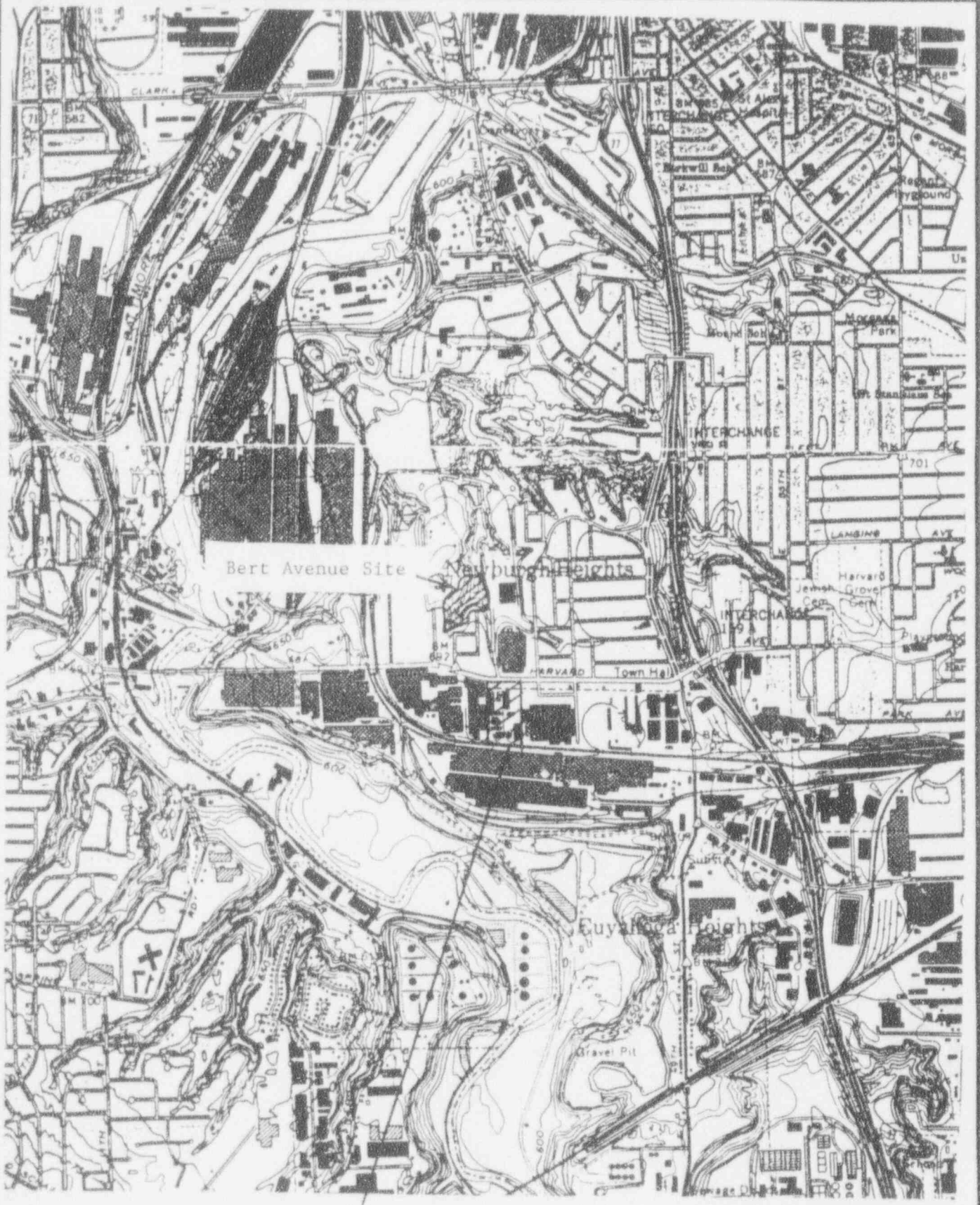


FIGURE D-1

SITE LOCATION MAP

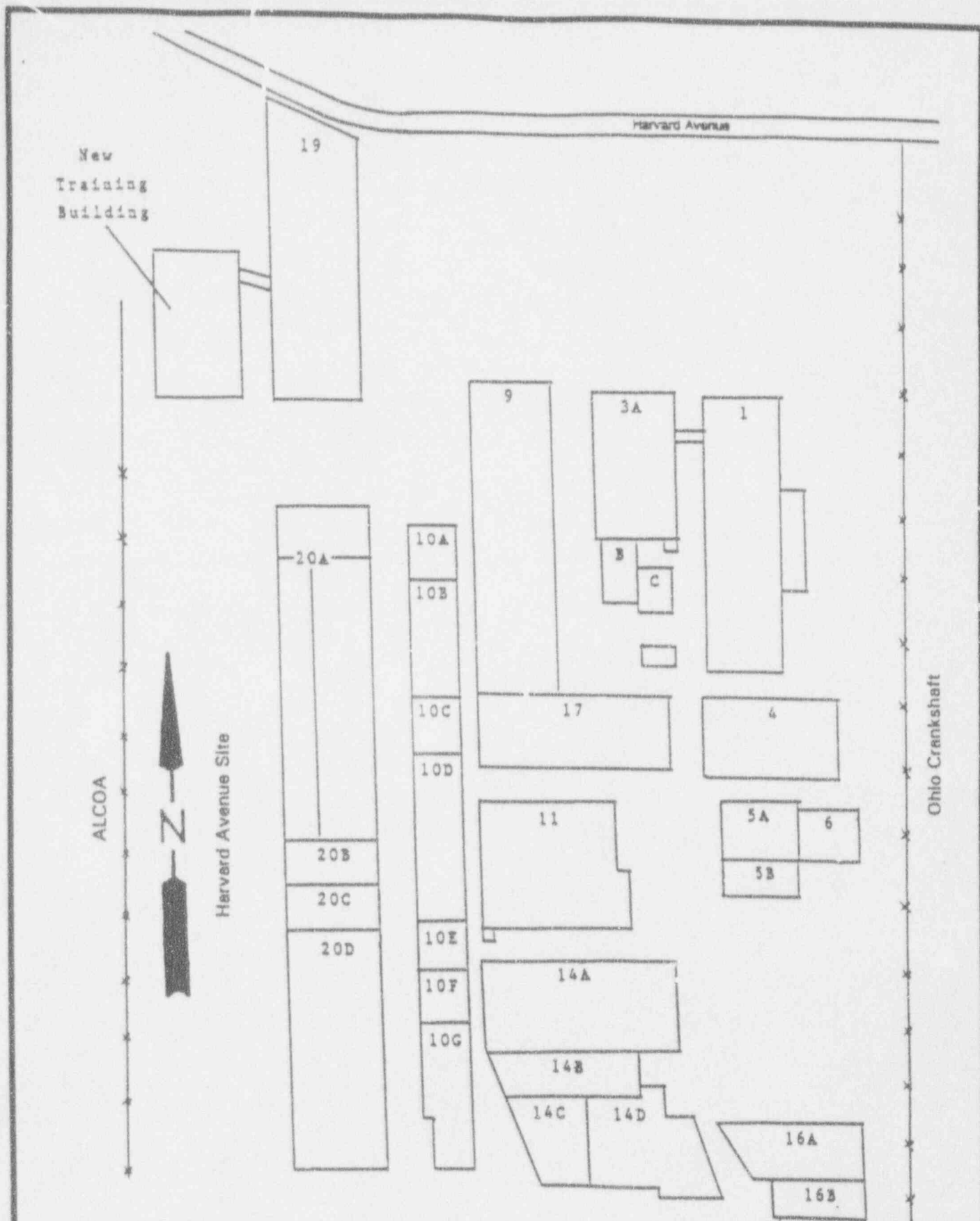
Source: "Final Site Characterization Report, 6/15/92, Dames & Moore, Inc.



Harvard Avenue Site and McGean-Rohco Complex

Source: USGS, Cleveland South, 7.5 Minute Quadrangle, Topographic Map, Photorevised 1984

FIGURE I-1
SITE LOCATION MAP
B. KOH & ASSOCIATES



Newburgh and Southshore Railroad

FIGURE D-3

McGEAN-ROHCO, INC. BUILDINGS

History of Chemetron Activities

Chemetron Corporation (Licensee) is the holder of Source Material License No. SUB-1357 (License) originally issued on June 12, 1979, by the Nuclear Regulatory Commission (NRC or Commission) pursuant to 10 CFR Parts 40, for possession only of depleted uranium contamination in a facility located at 2910 Harvard Avenue, Newburgh Heights, Ohio (the Harvard Avenue site). The License was modified on October 1, 1987, to authorize the Licensee to possess the radioactive material at the McGean-Rohco site located between 28th and 29th Streets at Bert Avenue, Newburgh Heights, Ohio (the Bert Avenue site). The license was last renewed on January 10, 1990, and was due to expire on October 31, 1990. On October 1, 1990, Chemetron filed a license renewal application with NRC. Pursuant to 10 CFR §40.43(b), the License is continuing in effect.

In 1965, the Atomic Energy Commission issued License No. SUB-852 to Chemetron Corporation, which through its McGean Unit of the Inorganic Chemical Division, manufactured catalysts containing depleted uranium. These operations were carried out between 1965 and 1972 in facilities located at the Harvard Avenue site. By February 1972, manufacture of the catalysts had been terminated, and in December 1973, the License was amended to authorize storage only for the remaining depleted uranium. No activities involving source material, other than decontamination, have been conducted at the site since the termination of the catalyst production by Chemetron in 1972.

In 1975, the McGean Chemical Company, Inc., the predecessor to McGean-Rohco, Incorporated (McGean), purchased the Harvard Avenue site. The Licensee, however, retained the License and responsibility for the depleted uranium remaining at the facility. In late 1977, the Licensee was acquired by Allegheny-Ludlum Industries, and merged into a wholly-owned subsidiary. In 1979, the Licensee obtained a new NRC License, No. SUB-1357, to remediate the Harvard Avenue site. License SUB-1357 superseded SUB-852.

Remediation activities under the License began in 1979, with the expectation that the project would be completed in about six months. In August 1980, NRC informed the Licensee that source material contamination discovered at the Bert Avenue site in May 1980 must also be remediated.

On October 26, 1984, Allegheny International, Inc., Chemetron's parent company, provided the results of its Bert Avenue site final surveys, indicating that depleted uranium concentrations were less than 35 pCi/gm, the applicable NRC unrestricted release criteria, provided in the 1981 Branch Technical Position (BTP), entitled, "Disposal or Onsite Storage of Thorium or Uranium Wastes from Past Operations." On January 11, 1985, Oak Ridge Associated Universities (ORAU) submitted, to the NRC, a report of its confirmatory surveys. The ORAU confirmatory surveys indicated that contamination, exceeding 35 pCi/gm, was still present at the Bert Avenue site.

On October 15, 1985, the Licensee requested that both the Harvard Avenue and Bert Avenue sites be released for unrestricted use. On January 29, 1986, ORAU submitted to the NRC a report of its confirmatory surveys at the Harvard Avenue site, showing that radioactive contamination was still present, in excess of applicable NRC unrestricted release criteria, provided in the 1981 BTP. On March 27, 1986, ORAU submitted to the NRC, a report of its confirmatory surveys at the Bert Avenue site. Contamination, exceeding the unrestricted release criteria, was found.

On February 20, 1988, Allegheny International, Inc., filed a voluntary petition under Chapter 11 in the U.S. Bankruptcy Court. On August 31, 1990, Allegheny International, Inc., requested NRC consent to transfer control of Chemetron's license to Sunbeam/Oster Company, Incorporated. The Licensee indicated in Exhibit b-1 of its August 31, 1990, submittal that it would have completed a revised remediation plan for the Harvard Avenue site by March 1, 1991. The NRC staff confirmed this schedule with a provision of the consent of transfer dated September 11, 1990, requiring the submission of a revised remediation plan for the Harvard Avenue site by March 1, 1991.

On October 2, 1990, Chemetron submitted a request for license renewal to authorize possession of depleted uranium in the form of uranium oxide contamination at the Harvard Avenue and Bert Avenue sites for a 5-year term.

On January 3 and 4, 1991, NRC conducted a safety inspection of activities authorized by License No. SUB-1357 and transmitted to the Licensee its inspection findings in NRC letter dated January 28, 1991, which included a Notice of Violation for failure to adequately survey a portion of the restricted area at the Bert Avenue site prior to its release for unrestricted use. NRC also requested in letter dated January 28, 1991, that the Licensee address NRC's concerns over low-level uranium contamination found in Buildings 14 and 20 of the McGean-Rohco complex.

From March 19 through April 15, 1991, NRC conducted a special safety inspection of survey activities being conducted at the McGean site. During the inspection, contamination of equipment and structures was found in several buildings at the McGean site. An apparent violation of NRC requirements was identified: loss of control of licensed material in an unrestricted area and not in storage (10 CFR §20.207(b)). Based on these inspection findings, NRC requested that an expanded site survey be performed and a written report documenting the results of the survey be submitted to NRC by April 5, 1991. The Licensee submitted its report, in two letters dated April 5, 1991, and April 12, 1991, on the status of the McGean surveys, which indicated that 7 of 11 McGean buildings surveyed were contaminated with depleted uranium in excess of NRC limits.

On July 18, 1991, the licensee requested that license conditions be revised to establish a submittal date of August 16, 1991 for the Harvard Avenue and the Bert Avenue remediation plans.

A Notice of Violation and Proposed Imposition of Civil Penalty Notice was issued to the Licensee on August 14, 1991. The Notice addresses the Licensee's failure to secure licensed material in the form of depleted uranium from unauthorized removal and failure to maintain the material under constant surveillance and

immediate control. The Notice was the result of a violation identified during an NRC inspection conducted from March 19 through April 15, 1991, which located depleted uranium on and in equipment and structures in Building Numbers 1, 3B, 3C, 4, 5B, 6, 9, 10, 11, 14, 16A, 16B, 17, 19, and 20 at 2910 Harvard Avenue, Newburgh Heights, Ohio, which are unrestricted areas. Subsequently, an Order Imposing Civil Monetary Penalty in the amount of \$7,500 was served to the Licensee.

On June 28, 1991, Chemetron submitted, to the NRC, their Site Characterization Report for the Harvard Avenue and Bert Avenue sites. This report was also reviewed by the Ohio Department of Health and the Ohio Environmental Protection Agency. On August 15, 1991, comments were transmitted to Chemetron indicating that there were substantive deficiencies in the report.

On August 16, 1991, Chemetron submitted, to the NRC, a remediation plan for the Harvard Avenue and Bert Avenue sites. Comments from the NRC, ODH, and OEPA were transmitted to Chemetron on December 18, 1991. The remediation plan was considered to be conceptual in nature, and, therefore, lacked sufficient detail, and was based on an inadequate site characterization.

On May 5, 1992, Chemetron and the NRC entered into a Consent Order that established, as a license condition, June 15, 1992, as the submittal date for the Final Site Characterization Report for the Harvard Avenue and Bert Avenue sites. On June 15, 1992, Chemetron submitted, to the NRC, the Final Site Characterization Report for the Harvard Avenue and Bert Avenue sites. On January 8, 1993, NRC approved the Final Site Characterization Report for the Harvard Avenue and Bert Avenue sites.

On May 7, 1993, Chemetron requested an amendment to their license that would establish October 1, 1993, as the date for the submittal of the Final Remediation Plan for the Harvard Avenue and Bert Avenue sites. On October 1, 1993, Chemetron submitted their Final Remediation Plan. However, the submittal did not contain the final radiation survey plan section, the safety analysis section, and the dose assessment section. On October 26, 1993, NRC issued a Confirmatory Order to Chemetron requiring that the final radiation survey plan section be submitted, to the NRC, by November 1, 1993, and the safety analysis and dose assessment section be submitted, to the NRC, by November 15, 1993. On November 1, 1993, Chemetron submitted the final radiation survey plan section, and on November 11, 1993, Chemetron submitted the safety analysis and the dose assessment sections. Also, on November 1, 1993, Chemetron submitted a remediation plan for the contamination at the McGean-Rohco complex.

Description of the Proposed Action

1. The proposed action is to approve plans by Chemetron Corporation (the licensee) to perform final decommissioning at its facilities located on Harvard Avenue and Bert Avenue in Newburgh Heights, Ohio. The proposed decommissioning would remediate depleted uranium contamination in soils at the Harvard Avenue and Bert Avenue sites, and buildings in the McGean-Rohco complex, located adjacent to the Harvard Avenue site. The objective of the decommissioning actions is to terminate the license and release the Harvard Avenue site, the Bert Avenue site, and the McGean-Rohco complex buildings for unrestricted use.

The Harvard Avenue site is an open area located at 2900 Harvard Avenue in Cuyahoga Heights, Ohio, and is immediately adjacent to the McGean-Rohco Company complex at 2910 Harvard Avenue. The Bert Avenue site is an old industrial landfill located on Bert Avenue at 27th and 29th Streets in Newburgh Heights, Ohio. These locations are contaminated with depleted uranium from chemical catalyst production operations performed by Chemetron Corporation from 1965 to 1972. The McGean-Rohco Company currently conducts chemical coating production activities in the McGean-Rohco complex buildings.

2. The proposed decommissioning actions involve the disposal, under 10 CFR 20.2002, of the depleted uranium contaminated wastes, in disposal cells, located at both the Harvard Avenue and Bert Avenue sites. These disposals would be limited to depleted uranium concentrations, acceptable under Option 2, of the NRC's Branch Technical Position on "Disposal or Onsite Storage of Thorium or Uranium Wastes From Past Operations."
3. Solid wastes and hazardous wastes, as defined under the Resource, Conservation, and Recovery Act (RCRA) will be managed in accordance with the requirements of the Ohio Environmental Protection Agency (OEPA). Solid wastes are known to be present at the Bert Avenue landfill site.
4. In connection with the proposed decommissioning activity, the licensee intends to perform a final site radiation survey following excavation of contaminated soils and remediation of the contaminated buildings. The final radiation survey would include residential and industrial areas adjacent to the Chemetron facilities.
6. The proposed decommissioning actions involve the shipment of contaminated wastes, exceeding the Option 2 limits in the NRC's Branch Technical Position on "Disposal or Onsite Storage of Thorium or Uranium Wastes From Past Operations," to the Envirocare facility in Clive, Utah.
7. The Harvard Avenue site and the McGean-Rohco complex are located in a mixed residential and industrial area. These industrial activities have taken place in this area for at least 50 years. In the immediate vicinity of the Harvard Avenue site and the McGean-Rohco complex, both private residences and

industrial operations are located on the north side of Harvard Avenue. Industrial operations predominate on the south side of Harvard Avenue. At the Bert Avenue site, private residences are located on the south and west sides of the site, a community park is on northwest side, and industrial facilities are on the east side.

8. The McGean-Rohco complex buildings were constructed for industrial use at various times beginning in the early 1900's.
9. The Harvard Avenue site has an area of about 3 acres, the McGean-Rohco complex is about 5 acres, and the Bert Avenue site is about 7 acres in area.