

OCT 21 1983

Quoted 408555

Not to be changed 546-55

Mr. John E. Baublitz, Director
Division of Remedial Action Programs
Office of Terminal Waste Disposal
and Remedial Action
Office of Nuclear Energy
Department of Energy
Washington, D.C. 20545

Dear Mr. Baublitz:

This is in response to your letter of October 5, 1983 regarding the Department of Energy's (DOE) research and development project at the former Cotter Corporation site on Latty Avenue in Hazelwood, Missouri.

Regarding the preliminary survey conducted in late September 1983, by your contractor, Oak Ridge National Laboratory, we are aware that not all of the contamination is confined to the pile of contaminated soil. As indicated in the letter from W. T. Crow to E. Dean Jarboe dated August 22, 1979 (enclosed) only the area identified as Parcel I has been released for unrestricted use. The decontamination of Parcel II was never completed because all decontamination efforts were stopped in January 1979 when Colonel Griggs, Airport Director, requested that we delay transfer of the contaminated soil to the airport until questions raised by Congressman Robert A. Young were resolved. After Congressman Young's concerns were addressed and he agreed that the contaminated soil should be moved to the airport site, the St. Louis Airport Authority decided not only did they not want the wastes from Latty Avenue but they wanted DOE to reassume title to the airport site.

We were pleased to note that Congress gave DOE authority and funds to take action at the Latty Avenue site, because our planned remedial actions have been continually delayed by the lack of a site to dispose of the material.

As to your request that NRC assist DOE in controlling the contamination at the site by licensing the owner, we considered doing this in the past but decided that licensing the material was neither necessary nor appropriate. Instead, we have taken the position that the public interest would best be served if we concentrated our efforts toward getting the site decontaminated. Accordingly, we have been working to affect this goal with the current property owner, Mr. E. D. Jarboe; the former licensee, Cotter Corporation; the DOE staff and officials of the State of Missouri. The property owner and the former licensee have shown a willingness to cooperate with the NRC, and I believe that they will cooperate fully with DOE.

We believe that only one Federal agency should interact with the affected parties. It is better for DOE to do this, rather than NRC, in light of the legislation designating this site, and vicinity properties, as part of a DOE decontamination research and development project. We believe it inappropriate for NRC to exercise regulatory authority over the site in view of DOE's legislative mandate.

OFFICE	8311010442 831021					
SURNAME	PDR ADCK 04008035					
DATE	C PDR					

John E. Baublitz

- 2 -

OCT 21 1983

Should additional questions arise concerning past AEC and NRC involvement with radioactive materials at the site, we will be happy to discuss such matters with you.

Sincerely,

Original Signed by
Ralph G. Page

R. G. Page, Chief
Uranium Fuel Licensing Branch
Division of Fuel Cycle and
Material Safety, NMSS

Enclosure: As stated

cc: R. Dean Jarboe

G. Rifakes

DISTRIBUTION

RGPage

WTCrow

FCUP R/F

NMSS R/F

FCUF R/F

RFonner

VLTharpe

Docket File 40-8035 ✓

PDR

FC Central File

by phone

OFFICE	FCUP <i>WTC</i>	FCUF <i>WTC</i>	FCUF <i>WTC</i>	ELD <i>WTC</i>			
SURNAME	WTCrow/as	VLTharpe	RGPage	RFonner			
DATE	10/20/83	10/20/83	10/20/83	10/20/83			