



EXEC-2007-011947

Department of Energy

Washington, DC 20585

October 29, 2007



ASH 525.15 (A)
505.20 (A)

MEMORANDUM FOR C.H. ALBRIGHT, JR.

UNDER SECRETARY OF ENERGY

FROM:

MICHAEL W. OWEN
DIRECTOR

OFFICE OF LEGACY MANAGEMENT

JAMES A. RISPOLI

ASSISTANT SECRETARY FOR
ENVIRONMENTAL MANAGEMENT

SUBJECT:

ACTION: Approve Critical Decision-4 for the Ashtabula Closure Project

ISSUE: The Ashtabula Closure Project (ACP) cleanup has been completed by Environmental Management (EM), and is ready for Critical Decision-4 (CD-4), *Project Completion*, authorizing contract close-out and transfer of project records to the Office of Legacy Management (LM).

BACKGROUND: The Department of Energy (DOE) Order 413.3A (Program and Project Management for the Acquisition of Capital Projects) requires approval by the Under Secretary of Energy of CD-4 for projects exceeding a total life cycle cost of over \$100M and where, upon EM mission completion, responsibility for performing long term surveillance & maintenance and records management activities transfers to another Program Secretarial Office.

The ACP is a DOE-EM decontamination and decommissioning (D&D) and Resource Conservation & Recovery Act (RCRA) project on a privately owned site in Ashtabula, Ohio. The site is owned by the Reactive Metals, Inc. (RMI) Titanium Company, which operated a commercial extrusion plant under a U.S. Nuclear Regulatory Commission (NRC) radioactive materials license. The site is still operated by RMI, and RMI holds all licenses and permits governing cleanup of the site and storage and disposal of all wastes generated as a result of D&D work. These licenses and permits are issued to RMI by several Ohio state agencies.

The DOE operations at the ACP site began in 1962 and ended in 2000. In September 2005, DOE contracted with LATA-Sharp Remediation Services, LLC to plan and complete the cleanup. Physical completion of all DOE-funded environmental remediation activities at the ACP was achieved on November 1, 2006, and independent verification performed by the Oak Ridge Institute for Science and Education (ORISE) determined that all cleanup criteria had been met. The Ohio regulators formally notified DOE that the site has been cleaned up in accordance with all RMI license and permit requirements.



EM completed the ACP with a life-cycle cost of \$147M; this represents costs incurred from Fiscal Year (FY) 1997 through 2006. A Site Transition Plan (STP) was jointly authorized by EM and LM, and approved by EM-1 and LM-1 on January 30, 2007. The STP and a more-recent "addendum" to the STP were included in the CD-4 Package. The only outstanding EM obligation is for the EM Consolidated Business Center (EMCBC) to disposition all inactive ACP records by no later than December 30, 2007 (excluding medical x-rays which EMCBC cannot disposition until approximately February 2008). Once EMCBC completes this post-CD-4 action, programmatic transfer of the site from EM to LM will be complete, and LM will assume responsibility for all records management activities. LM's assumption of responsibility for records management is not affected by the Continuing Resolution that has been in place since the beginning of FY 2007, nor will it be impacted by the Continuing Resolution in place at the beginning of FY 2008. Consistent with records disposition planning at all other Closure Sites, any active ACP records (such as those required for contract close-out) will be disposition by the EMCBC as soon as practicable.

Formal transfer and realignment of work scope from EM to LM will be documented via a future Program Budget Decision (PBD) memorandum that will be signed by the Chief Financial Officer. The PBD memo will document the agreement that has already been reached within the Department that funding target for FY 2009-2013 will be transferred from EM to LM to cover the cost of records management activities associated with the ACP site.

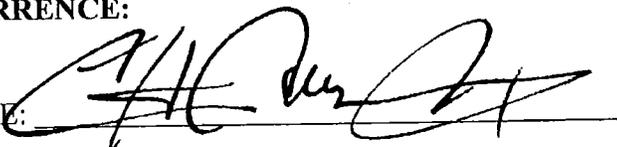
SENSITIVITIES: None.

POLICY IMPACT: None.

URGENCY: None.

RECOMMENDATION: That the Under Secretary for Energy sign this memorandum, thereby approving Critical Decision-4 for the Ashtabula Closure Project.

CONCURRENCE:

APPROVE: 

DISAPPROVE: _____

DATE: November 29, 2007

**OHIO DEPARTMENT OF HEALTH
LICENSE FOR RADIOACTIVE MATERIAL**

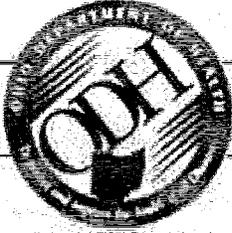
Pursuant to Chapter 3748 of the Ohio Revised Code, and in reliance on statements and representations made by the licensee, a license is hereby issued authorizing the licensee named herein to receive, acquire, possess, and transfer radioactive material as designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the applications of Chapter 3748 of the Ohio Revised Code and all applicable rules promulgated there under. This license is subject to all applicable rules, regulations and orders of the Ohio Department of Health now or hereinafter in effect and to any conditions specified below.

LICENSEE		LICENSE NUMBER
1.	RMI Environmental Services A Division of RMI Titanium Company	3. 11900040004
2.	1601 East 21 st Street Ashtabula, Ohio 44004-4000	4. License remains in effect until notification of termination.
		5. BUREAU DOCKET NUMBER: DEC/RMIES

License number 11900040004 is hereby terminated in accordance with the licensee's letter(s) dated January 11, 2007.

FOR THE OHIO DEPARTMENT OF HEALTH

DATE: 2/27/07BY: 
Director, Ohio Department of Health



OHIO DEPARTMENT OF HEALTH

246 North High Street
Columbus, Ohio 43215

614/466-3543
www.odh.ohio.gov

Bob Taft / Governor

J. Nick Bald, M.D. / Director of Health

February 15, 2007

Attn : Ronald L. Fine
Radiation Safety Officer
RMI Environmental Services
540 State Road
Ashtabula, OH 44004

RE: TERMINATION OF LICENSE NUMBER 11900040004

Dear Mr. Fine,

In a letter dated January 11, 2007, you requested the termination of your radioactive materials license. Based on a review of your request and supporting documentation provided, the Decommissioning Program staff has concluded that:

- 1) all licensable radioactive material has been removed from the RMI Environmental Services facility at 1601 East 21st Street, Ashtabula, Ohio;
- 2) residual radioactive material attributable to licensed activities in these areas do not exceed current ODH/BRP criteria;
- 3) all licensed radioactive materials, including waste, in these areas have been properly disposed or transferred to authorized recipients and;
- 4) all license fees have been paid in full.

Based on these conclusions, the Decommissioning Program staff finds the RMI Environmental Services facility at 1601 East 21st Street, Ashtabula, Ohio, is suitable for unrestricted use. In accordance with your request, ODH/BRP radioactive materials license number 11900040004 is hereby terminated. If you have any questions, please feel free to contact Shannon Dettmer, at 614-644-2727.

Sincerely,

Robert Owen, Chief
Bureau of Radiation Protection
Ohio Department of Health

License No. 11900040004

Enclosure: license number 11900040004, terminated