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Department of Energy

Washington, DC 20585

MAY 25 2000

Major General Hans A. Van Winkle
Director of Civil Works
U.S. Army Corps of Engineers
Department of the Army
Washington, D.C. 20314-1000

Dear General Van Winkle:

This letter is a follow-up to a phone conversation between the Department of Energy (DOE) and the Army Corps of Engineers staff concerning Congressional interest in the inclusion of the Shallow Land Disposal Area (SLDA) in Parks Township, Pennsylvania (near Apollo, Pennsylvania) in the Formerly Utilized Sites Remedial Action Program (FUSRAP). The site is currently owned by BWX Technologies, Inc. (BWXT).

The radioactively-contaminated SLDA received wastes from another BWXT-owned facility in Apollo, Pennsylvania, which conducted nuclear activities, including fabrication of nuclear fuel and nuclear research for the Atomic Energy Commission (AEC) as part of the Nation's early atomic energy program.

The contaminants of concern from AEC activities include uranium in varying enrichments and other hazardous substances. In addition, there is evidence of slight plutonium and americium contamination resulting from storage of equipment used in another BWXT facility adjacent to the SLDA in Parks Township, which was also utilized for AEC nuclear fuel and nuclear research activities. The SLDA may contain wastes resulting from commercial activities at the Apollo facility, which are unrelated to any AEC work.

Section III.D.1. of the Memorandum of Understanding (MOU) between DOE and the Army Corps of Engineers regarding the program administration and execution of the FUSRAP provides that DOE:

- a. Shall perform historical research and provide a FUSRAP eligibility determination, with historical references, as to whether a site was used for activities which supported the Nation's early atomic energy program;



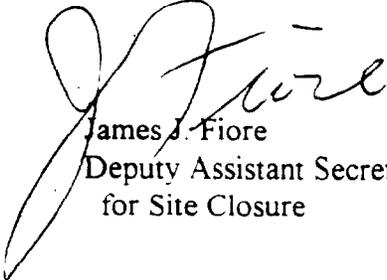
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- b. Shall provide the Army Corps of Engineers with the determination, a description of the type of processes involved in the historical activities at the site, the geographic boundaries of those activities (as reflected by documentation available to DOE), and the potential radioactive and/or chemical contaminants at the site; and
 - c. Shall maintain records of determination of eligibility and other files, documents and records associated with the site.

In accordance with the MOU, DOE has performed historical research regarding the SLDA, and has concluded that this site contains wastes resulting from activities which supported the Nation's early atomic energy program. Historical information is being prepared by my staff for transmittal to your staff.

Accordingly, we would not object to the SLDA being included in the FUSRAP if the Army Corps of Engineers determines, under Section III.D.2 of the MOU, that response action under the Comprehensive Environmental Response, Compensation, and Liability Act is required to address FUSRAP-related contamination at the site.

If you need any further information, please call me at (202-586-6331).

Sincerely,



James J. Fiore
Deputy Assistant Secretary
for Site Closure

cc: Stephen Lerner. CI-30
David Berick. CI-30

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AS Spurgeon

5/24/00

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