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**ACCESS
FEED MATERIALS PRODUCTION CENTER
OH6 890 008 976**

05/22/90

**USEPA/DOE-FMPC
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LETTER
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1231



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
230 SOUTH DEARBORN ST.
CHICAGO, ILLINOIS 60604

REPLY TO THE ATTENTION OF:

5HR-12

MAY 22 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Bobby J. Davis
U.S. Department of Energy
Feed Materials Production Center
P.O. Box 398705
Cincinnati, Ohio 45239-8705

Re: Access
Feed Materials Production Center
OH6 890 008 976

Dear Mr. Davis:

During the April 25, 1990, Technical Information Exchange (TIE) meeting, the United States Department of Energy (U.S. DOE) and Westinghouse Materials Company of Ohio (Westinghouse) informed the United States Environmental Protection Agency (U.S. EPA) that formal procedures to acquire access to areas surrounding the site have not been followed for properties in the south groundwater contaminant plume area. Informal negotiations by Westinghouse has been allowed to proceed several months beyond the thirty (30) day time period allowed in the 1990 Consent Agreement. U.S. DOE should have sent a formal notice letter to the property owner and filed a referral to the United States Department of Justice (DOJ) within thirty (30) days after the initial thirty (30) day negotiation period.

During the TIE meeting, U.S. DOE committed to issuing notice letters to property owners by May 1, 1990. U.S. DOE previously committed to sending a copy of all notice letters to U.S. EPA. U.S. DOE has agreed to copy U.S. EPA on each notice letter. To date, U.S. DOE has failed to send notice letters.

- ① Within five (5) days of receipt of this letter, U.S. DOE shall issue notice letters to the owners of properties for which access is required to characterize the south groundwater plume. Within ten (10) days of receipt of this letter, U.S. DOE shall submit a referral to DOJ.

Date Rec'd. MAY 25 1990
Log # 22104
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Please contact me at (312/FTS) 886-4436, if there are any questions regarding this matter.

Sincerely,



Catherine A. McCord
Remedial Project Manager

cc: Bruce Boswell, Westinghouse
Maury Walsh, OEPA - CO
Graham Mitchell, OEPA - SWDO