

March 6, 2006

Mr. Henry A. Sepp
Site Manager
Westinghouse Electric Company, LLC.
3300 State Road P
Festus, MO 63028

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION RETURN OF WESTINGHOUSE
ELECTRIC COMPANY, LLC SUBMITTAL OF DRAFT REMEDIAL
INVESTIGATION AND THE SCREENING LEVEL ECOLOGICAL RISK
ASSESSMENT REPORTS (TAC L52624)

Dear Mr. Sepp:

By letter dated October 31, 2005, Westinghouse Electric Company, LLC (WEC) improperly submitted two reports entitled "Draft Remedial Investigation" and "Screening Level Ecological Risk Assessment" to supplement the Decommissioning Plan (DP) for WEC's Hematite Site. At the time of the submittal on October 31, 2005, WEC asked the U.S. Nuclear Regulatory Commission (NRC) not to make these documents available to the public. Because the documents were not submitted in accordance with NRC policy, they were not docketed, nor were they used in NRC's review of the DP.

On December 5, 2005 (ML053420416), WEC submitted some of the information found in those two supplemental reports, in a different format, labeled "Fission Product and Gamma Spectrometry Data" and "Draft Summary of Screening Level Ecological Risk Assessment." In the December 5, 2005 letter, WEC requested the documents submitted on October 31, 2005, be returned to WEC.

The staff has reviewed your request and has determined that because the source documents accompanying the October 31, 2005, submittal are draft versions that cannot be used for a technical review, it is not appropriate to docket these documents. We are returning the documents found on the enclosed discs. However, NRC expects the final version of these

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documents to be submitted with the revised DP. If you have any questions regarding this letter, please contact me at (301) 415-8580.

Sincerely,

/RA/

Amy M. Snyder, Acting Section Chief
Division of Waste Management
and Environmental Protection
Office of Nuclear Material Safety
and Safeguards

Docket No.: 07-000036

Enclosures:

1. Disc 1 - Screening Level Ecological Risk Assessment for Hematite Site (Final Draft for Regulatory Review) October 2005, Rev 0
2. Disc 2 - Remedial Investigation Report for Hematite Site (Final Draft for Regulatory Review) October 2005, Rev 0.

cc:

T. Chance, RSO
A. J. Nardi, Chairman, Project Oversight

H. A. Sepp

- 2 -

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cc:

T. Chance, RSO
A. J. Nardi, Chairman, Project Oversight

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